Bureau File
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Sub A
Section 6
171 pages

5-18 (Rev. 9-15-66)

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THE ADAM CLAYTON POWELL RECORD

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WHY HARLEM ELECTS AND SUPPORTS HIM . . .

1930–1941

- Congressman Powell led a picket line of 5000 Negroes to City Hall to keep Negro Doctors on the Harlem Hospital staff.
- Congressman Powell was named Director Of Relief for New York City during the Depression Years.
- Congressman Powell led the campaign against Harlem's largest Department Store, the first store to be picketed to secure jobs for Negroes. The campaign resulted in the employment of 22 Negro salesgirls.
- The Coordinating Committee for Employment, founded by Congressman Powell and Dr. William Imes, successfully picketed for Jobs throughout Harlem's 125th Street. A contract, concluded with the Uptown Chamber of Commerce, guaranteed employment of Negroes in all businesses in Harlem.
- Congressman Powell appeared before Governor Lehman's Special Committee on Employment for Negroes. He led picket lines against Con Edison and the N.Y. Telephone Company, resulting in the first major breakthrough in Negro Employment.
- Congressman Powell led picketing of the 1939 World's Fair, resulting in 981 jobs, mostly in white collar job classifications.

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The Washington Post and Times Herald A-10
The Washington Daily News
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New York World Journal Tribune
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
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- Congressman Powell obtained "first" jobs in Brewing Industries, Bread Companies, Soft Drink Companies and Department Stores in mid-Manhattan. He also obtained jobs for Motion Picture operators in Theatres in Harlem.

- Congressman Powell led a 12-day picket line against N.Y. bus companies resulting in hiring of 10,000 Negroes by the transportation system of the City of New York. Among major cooperating organizations supporting these efforts was the Harlem Labor Union and the Urban League.

CITY COUNCIL PERIOD
1941 – 1944

- In 1941, in opposition to Tammany Hall, Adam C. Powell was elected as the first Negro to the New York City Council. There he introduced the Sharkey-Isaacs Amendment against discrimination in Housing.
- As Councilman, Adam C. Powell conducted the first investigation of the failure of New York City Hospitals to hire Negro nurses. Results: Negro nurses are now working in all New York City Hospitals.
- As Councilman, Adam C. Powell launched the first investigation of the four universities of the City of New York for their failure to hire Negro professors. Results: Negro professors are now employed on all these staffs.
- As Councilman, Adam C. Powell conducted a successful campaign to stop the gerrymandering of Harlem so there could be a Harlem congressman. Results: The 22nd (now the 26th) Congressional District was created.

WHY CONGRESS AND THE NATION SHOULD SUPPORT HIM

"Dear Adam,

The Fifth anniversary of your Chairmanship of the House, Education and Labor Committee reflects a brilliant record of accomplishment.

"It represents the successful reporting to the Congress of forty-nine pieces of bedrock legislation. And the passage of every one of these bills attests to your ability to get things done." . . . .

"Only with progressive leadership could so much have been accomplished by one Committee in so short a time. I speak for the millions of Americans who benefit from these laws when I say that I am truly grateful."

Excerpts from a letter of March 18, 1966 to Congressman Adam Clayton Powell FROM PRESIDENT LYNDON B. JOHNSON

1944–1960

- Congressman Powell and his staff handled an average of 2500 cases per year all over the Nation and the world, through full-time offices in both New York and Washington, resulting in jobs being obtained, pensions secured and increased, servicemen and veterans assisted.
- Congressman Powell was the only member of Congress to conduct investigations on the spot, year after year, of segregation and discrimination against Negro G I's in North Africa, Europe, Hawaii and Japan.
- Congressman Powell was a Delegate to the World Conference of Parliamentarians for World Government. He was elected Vice President for three successive years, and at present is a member of the Executive Board.
- Congressman Powell appointed first Negro ever to graduate from Annapolis. He had first Negro admitted to Congressional Press Galley and the restaurants of the U.S. Congress. He began the fight to wipe out segregation in the Armed Forces and the Federal Civil Aeronautics Authority.
- Congressman Powell authored and co-authored all the legislation which later became the Truman Civil Rights Program.
- Congressman Powell supported increased salaries and pensions for Post Office employees and all Federal workers.

AS CHAIRMAN OF THE COMMITTEE ON EDUCATION AND LABOR 1961–1965

In five years, as Chairman of the Committee on Education and Labor, 60 major laws in the form of the most important legislation in the history of this country have been passed—

- Increase of the Minimum Wage
- The War On Poverty
- Aid to Elementary and Secondary Education
- Aid to Higher Education, assistance for our Colleges and Universities
- Barring discrimination in Salaries paid to women for the same work performed by men
- Manpower Development and Training for more Jobs
- Vocational Rehabilitation
- Anti-Juvenile Delinquency
- School Lunch Program
- Library Services

HE NEVER LOST A BILL IN 5 YEARS, ONCE THE BILL GOT TO THE HOUSE FLOOR

THE CITIZEN'S COMMITTEE FOR ADAM CLAYTON POWELL

Co-Chairmen:

W. D. King Dr. Anna A. Hedgeman Wm. H. Johnson Jr. Maely D. Dufty Dr. James N. Mitchell

CONTRIBUTORS FOR THIS AD:

Judge James Abrams
Jose Arguelles
Alpha Phi Fraternity, Inc.
Chas. Banks
Jesse Blayton
Carver Federal Savings Bank
Convent Avenue Baptist Church
Community Teacher's Association
District 65, RWDSU
Maely Dufty
Harlem Embers
Federation of Negro Civil Service Employees, Inc.
Freedom National Bank
Curtis Giddings
Joseph Glaser
Clarence B. Jones
Rev. Quinlan Gordon
Guardians Association N.Y. Inc.
Dr. Anna Arnold Hedgeman
Claire Kennedy
W. D. King
Dr. James N. Mitchell
Hattie Mitchell
Rev. Leon Modesta
NAACP, Brooklyn
Negro American Labor Council
Olanteuji
Mrs. Dorthy Orr
Dr. Benjamin E. Payton
Richard Parrish
A. Reynolds
Cleveland Robinson
Messrs. Frank and Roberta Schiffman
Andrew R. Tyler
J. R. Willis
and others

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Gandy

Rep. Powell Flies Back For Fight

A1

Surprises Liberals Meeting to Discuss His Future on Hill

By Richard L. Lyons
Washington Post Staff Writer

Like a latter-day Daniel, Rep. Adam Clayton Powell (D-N.Y.) flew back to town yesterday and strode jauntily into an assembly of House liberals discussing his fate.

Well tanned from his long stay at Bimini, Powell appeared at the Congressional Hotel saying he was there for a reception for new members.

But as he knew perfectly well, about 70 members of the liberal Democratic Study Group were first holding a business meeting there to discuss him and other problems they will face at today's caucus of Democratic House members.

No Action Taken

As expected, the group took no action on Powell though several of its leaders favor stripping him of the chairmanship of the Education and Labor Committee because of his fancy travel, pocketing of legislation and court troubles in New York.

The House Democratic caucus will decide this morning whether Powell shall keep his chairmanship. Congress convenes Tuesday and the House may vote then on whether Powell shall keep his seat.

The liberals also took no position as a group on a move to deny the chairmanship of the key House Rules Committee to conservative Rep. William M. Colmer (D-Miss.) Members said a motion to bypass Colmer carried, 42 to 28, but that this was not considered big enough to constitute a group position. This presumably means that Colmer will become chairman.

[illegible]

Powell refused to talk about his troubles, but he took a position at the bar between the meeting room and the reception and talked about everything else.

About the fishing at Bimini Island in the Bahamas where he had made a record catch. "I'm the old man of the sea," he said, sipping a martini. "I'll be 60 next year."

"Hi ya, baby," he called to each member passing by from meeting to reception. There was a special greeting and warm embrace for Rep. Frank Thompson Jr. (D-N.J.), chairman of the Study Group, who has proposed that Powell be stripped of his chairmanship.

The Study Group's meeting was closed and Powell did not try to go in. But Speaker John W. McCormack attended and reportedly tossed out a suggestion that some construed as a possible compromise on Powell. Members said McCormack suggested as a possibility, but did not endorse, suspending the chairmanship and giving it back to Powell if he cleared up his troubles.

Failure to try to bump Colmer as successor to former Rep. Howard W. Smith (D-Va.) was a surprise that showed how deeply entrenched is the seniority system. The group did vote against restoring party seniority to party-bolting Rep. John Bell Williams (D-Miss.) and voted for filling a Ways and Means Committee vacancy with a liberal New Yorker rather than a conservative Texan.

Earlier in the afternoon, about 1000 persons filled the Metropolitan Baptist Church to hear two hours of oratory by Negro clergymen and others in defense of Powell.

A. Philip Randolph, elder statesman of the civil rights movement, was ill and unable to deliver the main speech as scheduled. But he sent word that Negroes will go into the district of every member who votes for the "nefarious conspiracy" against Powell and try to defeat them at the next election.

The loudest and longest applause from the largely New York crowd was given a statement that "Congress must realize that the people in his district will re-elect him again and again and again."

Percy Sutton, Borough President of Manhattan, said white people say Negroes should get into the mainstream of American life. "Adam swam into the main stream, but he was a better swimmer than they thought," said Sutton. "He is what you call an audacious Negro. He went right into the House dining room to eat. The fight is not against Adam Clayton Powell. The fight is against us. They would apply a moral law to him they haven't the guts to apply to themselves."

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...the Rev. C. Franklin ... Washington ... Adam needs to know and the country needs to know that Negroes will not forget those who fought their battles. Adam was picketing on 125th Street (in Harlem) before it was popular."

Then as Democratic national committeeman for the District of Columbia, Jackson added: "As a politician I serve notice on any party that if it fails to support Adam and equal justice, if they turn their backs on us, we will turn our backs on them."

Several speakers reminded Congress of the scriptural admonition: "He who is without sin let him cast the first stone."

The meeting was interrupted only once, by a Negro who after listening to several speakers arose and shouted that this was a "conspiracy of ministers" and that Powell should be bounced out of Congress because "he's no good."

United Press International

Adam Clayton Powell meets warm supporters on return to Washington.

Tolson
DeLoach
Mohr
Wick
Casper
Tele. Room
Holmes
Gandy

"It All Comes From Serving Jesus"

Harlem's Rep. Adam Clayton Powell: There Is Nothing Ordinary About Him

By Richard Harwood
Washington Post Staff Writer

Rep. Adam Clayton Powell, Harlem's Abyssinian Baptist pastor, adopted a long time ago a personal standard of public morality.

"As a member of Congress," he vowed, "I have done nothing more than any other member and, by the grace of God, I intend to do not one bit less."

Sui generis, he has pursued that principle wherever it led.

Like former Rep. James Roosevelt of California, he acquired three wives and a reputation for his romantic goings on. Like Rep. Wayne Hays of Ohio, he has journeyed first class to Europe at public expense, accompanied by female assistants. Like Rep. John Bell Williams of Mississippi, he has bolted the Democratic Party when it suited his purposes.

Like Rep. Joe Pool of Texas, he has ostentatiously defied the orders of an American court. Like Rep. Richard Bolling of Missouri, and others, he has placed a wife on his congressional payroll. Like former Rep. Morgan Moulder of Missouri (and countless others), he has been exposed to the night-club circuit through the courtesy of the Federal Treasury. Like the late Speaker Sam Rayburn of Texas, he dispenses whisky in his Capitol office.

For this public and private behavior, Adam Clayton Powell, B.A., M.A., Doctor of Divinity, may be denied his congressional seat this week, lose the chairmanship of the House Labor and Education Committee, and be evicted from the spacious, carpeted, bathroomed suite he has occupied with such zest and such pride in the marble palace on the Hill, which is called the Rayburn Building, expelled, in short, from the "power structure" of this political city.

In Powell's mind, he stands in jeopardy today for one reason only—that he is a Negro and that it has become expedient for his white colleagues to "politically castrate" him.

His prosecutors, of course, do not see it that way. Liberals and conservatives alike insist, as Rep. Alphonso Bell of California has put it, that their only purpose is to compel Congressman Powell to observe the same standard of ethical behavior that covers all other members.

This confrontation, however, is not so easily explained as either Powell or his critics suggest, because there is nothing ordinary about Adam Clayton Powell as a man, as a Negro, or as a politician.

It has been said by one of his admirers that he "invaded the power structure of America prematurely for a black man. He didn't come pussyfooting in on gum-soled shoes but on iron cleats." The image is apt, although it was more literally true that he came in wearing a lavender shirt and handmade alligator pumps.

He was the first Negro Congressman from the Eastern Seaboard, a political independent who was nominated for office by the Democrats, the Republicans and the American Labor Party, and was elected unanimously in 1944.

It took him nearly two months to decide which side of the aisle he would sit on, and before he ever reached Washington he was being sued for separation by his wife, Isabel, who had grown tired of his public handholding with a beautiful jazz pianist from Jamaica, Hazel Scott.

His courtship of Miss Scott night after night in the clubs and bars of Harlem was significant in Powell's life as an early indication of his uniqueness as a public man. For other politicians—Adlai E. Stevenson and Nelson A. Rockefeller, for example—marital unrest was a fatal or near-fatal flaw in The Image.

"Comes From Serving Jesus"

But for Powell it was different. No matter that he was a man of God, as the pastor of America's largest Protestant Church, or that he was an ambitious seeker of public office. He could lounge in his office at the Capitol, sip from a glass of champagne, wave his hand at the luxury around him and say with a chuckle, "It all comes from serving Jesus."

And when political opponents would lecture him and talk about his women and his Jaguar cars and his leisurely travels around the world, his constituents would say, as a heckler told Powell's hapless Republican opponent a few years back: "Quit complainin', Mac. That cat Powell is livin'."

It may have been the special tolerance of Harlem or it may have been the special charisma of Adam Clayton Powell. Whichever is the case, Powell discovered at the beginning of his

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Washington, [illegible] vulnerable at home. He has never [illegible] less than 70 per cent of the [illegible] or more than 100 per cent.

"His weaknesses as a man," Negro author Rol Ottley observed in 1943, "are his virtues as a public figure."

That was true only in Harlem, however. Washington never has adjusted to his ways.

When he arrived here in 1945, he introduced, without excessive oratory, bills to outlaw discrimination in employment and to give the District of Columbia representation in the House. They were modest proposals but journalists and some of his congressional elders quickly got into the habit of describing him, without the quotation marks, as a "left wing" Congressman.

They didn't know their man very well. The Spartan imperatives of Marxist dogma had no appeal to Powell. His father had prospered in his 20 years as pastor of the Abyssinian Baptist Church and had raised his only son in the material comfort that is given to the upper class. Young Adam was sent off to Colgate where he was a fraternity boy (until his brothers discovered his Negritude), went to graduate school at Columbia and acquired a doctorate in religion in North Carolina.

Man in White Suit

Returning home, he got involved in and quickly took charge of the Harlem Crusade in the mid-1930s to force merchants to hire Negro clerks. He was the only man on the picket line in a gleaming white suit.

In 1937, at the age of 29, he inherited the lucrative Abyssinian pastorate from his father and with it a congregation of 10,000, which became the nucleus of his political organization. Four years later he was on the New York City Council as its first Negro member, preaching the doctrine of Black Power and Black Pride: "Think big, think black, think like a child of God."

His hero and philosophical guide was Marcus Garvey, a Jamaican who came into Harlem in the 1920s to found a mass Negro movement based on racial independence and a back-to-Africa theme not unlike the Zionism that Theodore Herzl advocated at the same time.

"I asked," Garvey would say, "where is the black man's government? Where is his president, his country and his ambassadors, his army, his navy, and his men of big affairs? I could not find them and then I declared I will help make them . . ."

He proclaimed himself the Provisional President of Africa but his movement collapsed when he was convicted in the late 1920s of stock fraud.

Like Garvey, Powell ridiculed the "Uncle Toms" of his race. His favorite [illegible] Washington and A. Philip Randolph (who is now trying to save Powell from congressional punishment).

Even today, Powell speaks contemptuously of his Negro contemporaries. He told a group of Congressmen not long ago: "I have the entire spectrum of Negro leadership behind me—all the way from Roy Weak Knees (Wilkins), to Whitey (Whitney) Young, to Martin Loser (Luther) King, to that kook Stokely Carmichael."

He came, in short, to regard himself as the only true believer, as the only authentic voice of his people.

Has Always Been Well Fed

Other Negroes, he is fond of saying, "feed at the white man's trough" and compromise their beliefs. But Powell, who has always been well fed, sees himself in another light. "When my people see a picture of me in '21' or some other downtown night club, they like it," he has said. "They know I can pass for white, but that I'm as black in my thinking as the blackest of them."

It was Powell's talk, as much as his flamboyance and his joyous hedonism, that disturbed the Washington Establishment. He didn't behave like a well-trained junior Congressman. It seemed that nothing was sacred to him, least of all the patterns of segregation he discovered in Washington in the 1940s.

"There is nobody he is afraid to attack," an admirer once said. "This is the secret of his success: attack."

In 1945, he publicly described Mrs. Harry Truman as the "Last Lady of the Land" for taking tea with ladies of the DAR who had refused to let Powell's second wife, Hazel Scott, play in the segregated Constitution Hall. He threatened to bolt the Democratic Party in 1952 for nominating the Alabaman, Sen. John Sparkman, but didn't carry out the threat.

In 1956, he described President Eisenhower as a man who loved "the flag, mother and Jim Crow." But a few days later, standing on the White House steps, he endorsed Eisenhower for re-election.

In 1959 he said he might bolt the Democrats again if Lyndon B. Johnson became the 1960 Presidential nominee. In 1960, he said he might bolt if John F. Kennedy were the nominee. He preferred, he said, Lyndon B. Johnson.

In 1961 he said of his Party's candidate for Mayor, "New York City is absolutely finished if the affable, personable, charming, likeable, ineffective, weak Bob Wagner is returned to office."

This sort of thing might be disastrous for the ordinary politician, but it was one of the secrets of Powell's success in Harlem. "He doesn't do anything practical about achieving civil rights," a political opponent said of him, "but he expresses our people's outcry against injustice, and they respond gratefully."

Powell doesn't disagree: "I'm on that soapbox. I've always got my mouth open—sometimes my foot's in it, but it's always open." On another occasion he

1965: "I'm an Britnat, that's all, and I see myself that way. Just keep on turning the screw, turning the screw. Drip, drip, drip, makes a hole in the marble."

Drip, drip, drip also acted like acid on his colleagues and Powell was subjected in the 1960s to slights of protocol others were not forced to endure. He was not read out of the Party for his bolt in 1956, but he was denied a large office in the Cannon building which he coveted and to which he was entitled by seniority. When he became the second-ranking member of the House Labor and Education Committee, he was denied the subcommittee chairmanship to which he was also entitled.

Called 'Terrible' Chairman

In 1961, when the Committee chairmanship was at last within his grasp, there were mutterings of denying him that seat. AFL-CIO President George Meany said he would make a "terrible" chairman and implied that he should be passed over.

But Powell prevailed and the chairmanship became the great political achievement of his life. "They (the whites) just don't want me to get in this power structure," he later said. "But I am in it. My Committee is passing 40 per cent of the Administration's domestic legislation. They couldn't stand it at first, but they're getting pleased about it now."

On Palm Sunday in 1965, he told his Harlem congregation: "Today I control the labor legislation in this country. I control the war on poverty. The President asked for 2 billion. I'm gonna push for 3. Think big . . . Nobody is better than you are. No matter what Mr. Charlie says, you're Mr. Black."

The odd thing was that he meshed well with the Power Structure on the Hill. He practiced diplomacy with a flourish with Southern Conservatives and Republicans. His Committee handled more than its share of New Frontier and Great Society measures and on March 18, 1965, a grateful President Johnson wrote him a eulogistic letter:

"The fifth anniversary of your chairmanship of the House Education and Labor Committee reflects a brilliant record of accomplishment. It represents the successful reporting to the Congress of 49 pieces of bedrock legislation. And the passage of every one of these bills attests to your ability to get things done. . . . I speak for the millions of Americans who benefit from these laws when I say that I am truly grateful."

As they came to know him better, Powell's colleagues came to adopt the slightly amused and greatly tolerant attitude toward his indiscretions held by one of the old women in his congregation. "That Adam," she clucked when he misbehaved, "he's a caution."

One of his committee members barged into his office one day, outraged over something Powell had done. "The first thing I knew," the member later reported, "I had my feet up on his desk, just like him, sipping Scotch whisky out of a big glass. You couldn't help but like him."

He became the "charming rogue" who reminded people of the river gambler Gaylord Ravenal in Show Boat "right after a really successful boat ride."

No Hint of Remorse or Fear

He did everything other Congressmen did. The difference was that he did them all, right out in public with no hint of remorse or fear of the consequences.

When he was on trial for income tax evasion in New York, the Justice Department prosecutor asked him if it were not true that he had deducted the tuition cost for his son's private schooling.

"Of course," Powell blandly replied. "Everybody knows Adam Clayton Powell is for Federal aid to education."

He was not convicted.

When he ostentatiously toured Europe and the night world of Paris in 1963, he took along not one but two beauty queens on his payroll.

There was some grumbling by congressional moralists, and Powell's travel funds were sharply reduced. But he was undismayed. His chronic absenteeism, his perpetual flights to his beach house in Puerto Rico, his fondness for women, and his wife's congressional salary continued to increase.

He was a jubilant man. "What a day!" he cried to his congregation one Sunday. "What a day of victory. Every day from now on gonna be Palm Sunday. All the stars are singing together. All the trees are clappin' their hands. Oh, what the future holds for me!"

One thing it held for him was trouble. In a careless moment in 1960, while crusading against Italian and Jewish encroachments on the policy racket in Harlem, he described a lady, one Mrs. Esther James, as a "bagwoman" for the Police Department in his district.

She sued him for libel and won a judgment of $200,000 which was later reduced to $46,500 on appeal and was subsequently raised to $210,600 for Powell's contemptuous nonpayment.

Since that time he has been, in effect, a fugitive from justice in his own district and is unable to return home—[illegible] for fear of [illegible]

As the publicity on his tribulations mounted and his travels to Puerto Rico and to the End of the World bar on Bimini Island became more and more celebrated, his colleagues suddenly found themselves with a burning political issue on their hands.

Subject of Much Mail

"Maybe it's part backlash," a Midwestern Congressman remarked last week. "Adam may have become the symbol of whatever it is that people don't like about Black Power. Whatever it is, some of us are getting more mail on this issue than on Vietnam. You're in a position now of either voting against him or of being held up as a man who voted to subsidize the high life of a fugitive from justice. It could cost a man his seat."

Powell's stormy-petrel public relations man, C. Sumner (Chuck) Stone, sees it much the same way. One Congressman from a biracial district told him the community was perfectly divided—the whites were against Powell, the Negroes were for him.

Always in the past, a Negro journalist has written, when Adam Powell has been in trouble, he has not "taken off his hat" to beg help from the white Power Structure: "He puts on his hat and goes to Harlem Square because that is where his power lies."

But this time he is at the mercy of the Power Structure he has treated with disdain heretofore.

Harlem can, and undoubtedly would, return him to Congress as often as he likes. But only the club of white men on Capitol Hill can send him back to that lovely chairman's office in the Rayburn Building with the white telephone, the icebox and private bath.

He has gotten to like his place in the Power Structure, and to lose it now would hurt. Powell, for all his notoriety, is a man with few real friends. Not many people, as Stone has said, get close to him.

One man here—not a politician—who is as close to Powell as anyone else in Washington reported last week: "I think, for maybe the first time, he is really suffering.— physically and mentally. This thing has really gotten to him.

Drivin' by David Levine

0-19 (Rev. 12-9-66)

Rep. Powell Stripped of Chairmanship

House Seat Depends on Vote Today

Use of Public Funds For Private Travel Cited at Caucus

By Richard L. Lyons
Washington Post Staff Writer

Rep. Adam Clayton Powell (D-N.Y.) was stripped of his committee chairmanship by fellow Democrats yesterday and may be denied his House seat when Congress convenes today.

Democrats may have had many reasons to discipline Powell, but the one stressed at the Party caucus was his apparent use of public funds for private travel uncovered by an investigation last month.

Liberals fearing Negro voter reaction to outright expulsion led the move to depose him as Chairman of the Education and Labor Committee, hoping this would head off [illegible] drastic action by the House. The voice vote was described as overwhelmingly [illegible]

Powell keeping his chairmanship.

But the 187 Republicans caucused afterward and by what was described again as an overwhelming vote supported a proposal to deny Powell his seat pending an investigation by a special House committee of his fitness to serve. If this carries today—a simple majority is required—he presumably would stay on the payroll but could not vote.

It was the first time in 42 years that a House chairman has been deposed, and the action was taken over the opposition of Party leaders who tried to work out a compromise, by which Powell would step down temporarily pending an investigation.

Powell called the action a lynching, Northern style.

For years, Powell the Harlem swinger had seemed to bear a charmed life as he junketed, ignored court orders and ended up as chairman of a major committee with all the power over staff, money and legislation the position carried.

But suddenly after 22 years in the House he has within a week seen his wife fired from his payroll and lost his chairmanship and now he faces the possible loss of his House seat.

Powell has always responded to criticism with a smile and a quip. But it was a visibly shaken Powell who walked out of the closed caucus into a mob of newsmen.

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[illegible] he didn't [illegible] over to regain the chairmanship, and said he would do what he could to help his [illegible] Rep. Carl Perkins (D-Ky.). Technically, the caucus resolution did not strip Powell of all seniority, but merely ordered its committee on committees to replace him as chairman. He might remain as No. [illegible] man on the committee, but he would lose the power.

Democrats at the closed caucus described Powell's performance in defending himself as "contrite, cool, composed. He did not suggest, as he had in news releases, that the action was taken because he was a Negro."

Rep. Morris K. Udall (D-Ariz.), a liberal, made the motion to depose Powell. He argued that Harlem had the right to have him as its Congressman, but that the House was entitled to decide whether he should be a chairman.

Use of Funds Cited

Udall based the case for desposing Powell on his alleged misuse of committee funds to take private trips. He reportedly said Powell's New York court troubles for failure to pay a slander judgment should not be considered because it did not relate to his official conduct as a member of the House.

Powell reportedly did not deny the travel charge but in effect said it couldn't happen again because of tighter committee rules now in effect. He argued for preserving the near-rigid seniority rule. This must have given some liberals a twinge since they had just abandoned an attempt to deny the chairmanship of the House Rules Committee to ultraconservative Rep. William M. Colmer (D-Miss.).

The Democratic caucus also backed Speaker McCormack for reelection and renamed Rep. Carl Albert (D-Okla.) as majority leader. But they put off until a later caucus other business including filling a vacancy on the Ways and Means Committee. Republicans will nominate their leader, Rep. Gerald R. Ford (R-Mich.), for Speaker. He should lose by the strict party-line vote of 248 to 187.

Powell's removal brought angry statements from Negro leaders. Percy Sutton, borough president of Manhattan, pre-

[illegible] Congress. Bayard Rustin, an organizer of the 1963 civil rights march on Washington, said the action was "motivated not by lofty idealism but by subtle racism."

Joseph L. Rauh Jr., Washington lawyer and longtime counsel for the civil rights movement, called the action "legislative lynching," an effort by Democrats to "salve their conscience through one-shot reform."

Powell said he had told the caucus that other committee chairmen should be deposed for "far more serious reasons" than those used against him. He named no names and called off a scheduled afternoon news conference, apparently deciding to fire no heavy salvos before the vote on seating him.

Compromise Rejected

Before the voice vote to depose him, Democrats rejected, 122 to 88, the leadership compromise for him to step down temporarily. Speaker John W. McCormack voted for but did not speak for the motion and said he would support seating Powell today.

By mid-afternoon Powell, the Baptist clergyman, was firing off quips again.

"Jesus had one Judas; I had about 120," said Powell, as he met with Harlem supporters in his big committee hearing room.

"It's amazing," he mused, "to see the best committee chairman, according to Jack Kennedy, L. B. Johnson and John McCormack, defrocked."

Powell presided effectively over passage of much of the social legislation of the last six years, and has framed on his office wall an admiring letter from President Johnson.

Speaking of the caucus action, he said: "The leaders were for me, the Jews were for me, the Irish were for me. It was the WASPs who got me."

Both Udall and Rep. Wayne L. Hays (D-Ohio), who [illegible]

[illegible] the investigation [illegible] Powell's travel, said [illegible] would fight any move to [illegible] his seat.

A Tremendous Blow

"If he were expelled, he's not be reelected," said Hays. "This loss of the chairmanship is a tremendous blow. He's just another member now."

Republicans discussed the Powell question for nearly three hours. Some argued against any Party position, hoping to put Democrats on the spot with Negroes. But most had heard so much anti-Powell talk during the campaign or by mail that he insisted on a tough stand.

One Republican was asked the main reason given for not seating Powell—was it his court trouble, high living or what? "I'm inclined to think it was the mail," was the response.

Powell, summing up the action his fellow Democrats took, said, "I haven't seen anyone so crucified since Jesus Christ."

ADAM CLAYTON POWELL

0-19 (Rev. 12-9-66)

GOP Pushing Bid to Unseat Powell Today

Ford Heads Attempt To Impose 90-Day Ban on Democrat

By ROBERT K. WALSH
Star Staff Writer

A combination of Republicans and Democrats threatened at the opening of the 90th Congress today to heap more trouble on Rep. Adam Clayton Powell by refusing to seat him in the House pending a five-week investigation.

In the wake of a practically unprecedented Democratic caucus order yesterday to strip the Harlem Democrat of the Education and Labor Committee chairmanship, the House Republican membership late yesterday called for still further action against Powell.

By a "nearly unanimous vote" Minority Leader Gerald R. Ford was directed to "take such appropriate parliamentary steps as possible."

The GOP objective was to "prevent the seating of Powell pending determination of the relative facts, issues and precedents by a special committee or by the House Ethics Committee (in) no later than five weeks."

Retaliation Hinted

Shocked and angered by the Democratic caucus treatment, Powell warned he may try to lead thousands of Negro voters away from that party. And he indicated he may retaliate by making specific accusations in the House against some of his congressional colleagues.

Powell and many Negro leaders said racism was behind the attack on him.

"A lynching, Northern style," was Powell's description of the vote which deprived him of the chairmanship.

Several influential members of both parties said that if the Republican proposal could be brought directly to a House vote today it would have a good chance of adoption.

Between [illegible] Democrats along with most of the Republicans reportedly would support [illegible]

The party [illegible] House is [illegible] Democrats, and [illegible] Republicans.

Ford, however, faced formidable parliamentary hurdles and political obstacles. The Michigan Republican remarked last night that "I am not good enough as an oracle" to predict what might happen to the GOP plan.

Rep. Lionel Van Deerlin, D-Calif., said he will go through with his attempt to block Powell from being seated pending an investigation. His plan resembles the Republican proposal except that it would set no time limit on the investigation.

Van Deerlin hoped to obtain recognition immediately from Speaker John W. McCormack—who has opposed anti-Powell moves—to make a routine request that Powell stand aside while the oath is administered to House members soon after the House convenes at noon. This would not be debatable. Powell would have to stand aside.

Next Move Uncertain

Specific moves then would be in order for handling of the Powell situation. Powell, or his friends in the House, might ask that some of his critics or other House chairmen also stand aside and be investigated.

Rep. Morris K. Udall, D-Ariz., was to seek recognition from McCormack and then move that Powell be seated as a House member without interruption in his voting privileges and pay. Udall did not disclose whether his motion also might provide for an investigation of Powell.

Udall sponsored the motion by which the Democratic caucus yesterday directed the Democratic committee on committees to designate Rep. Carl D. Perkins, D-Ky., as chairman of the Education and Labor Committee for the two years of the 90th Congress.

Perkins, a strong backer of Johnson administration policies, has been second ranking Democrat on that committee under Powell.

Compromise Beaten

Before adoption the Udall motion by voice vote, the caucus rejected, 122 to 88, a compromise move by Rep. Abraham J. Multer, D-N.Y. The Multer motion, backed by McCormack, would have designated Perkins merely as acting chairman of the Education and Labor Committee pending the outcome of court orders against Powell and a House Judiciary Committee investigation.

Powell later said he was shocked that this was turned down.

Defeat of Udall's motion to seat Powell in the House today would not necessarily open the way for Ford to carry out the Republican Caucus move against seating Powell. Even if Ford were recognized by McCormack he might run into a barrage of other proposed moves.

Most members said it was highly unlikely that Powell would be expelled as a House member. Such action would require a two-thirds majority vote of the House.

Ford Gives Views

Ford and other Republicans did not quarrel with the Democratic caucus action. They said the Democrats were within their right to take such disciplinary action as a party matter against Powell. They noted that it was confined only to depriving Powell of a committee chairmanship and did not interfere

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With his Congressional seniority or other House privileges.

"There nevertheless was a feeling in the Republican conference," Ford reported, "that the Democratic caucus action to some extent precluded Republicans from expressing themselves on the Powell issue."

"There also was a feeling that Powell never had an opportunity to present his case to all the elected members of the 90th Congress. He had a chance to do so at the Democratic caucus but not to the Republican members of the new Congress. This is the rationale of our conference resolution."

The GOP caucus lasted seven hours.

Ford said he held no particular brief for Powell but thought that a separate investigation with a definite time limit was justified.

Powell Attacks Critics

Powell late yesterday conducted pretty much of a one-man caucus in or near the Education and Labor Committee room in denouncing the Democratic caucus and his critics.

He said bitterly: "This is my reward for excellence. There are gentlemen in this House who should be stripped of more than I have been."

Powell told a group of constituents: "I haven't seen anyone crucified since Jesus Christ. Jesus had only one Judas but I had about 120. You saw them running down the staircase. They ran like rats."

0-10 (Rev. 12-9-66)

A WOUNDED POWELL

Suddenly He *Is* a Martyr

By MARY McGRORY
Star Staff Writer

For Adam Clayton Powell, the party was over, baby.

He couldn't believe it.

All through the long, cake-walking years, his skin had saved him. But those days are gone forever. Yesterday may have been the first time in his life he would rather have been white.

He called the vote of the Democratic caucus that took away his committee chairmanship "a lynching—Northern style."

But he said it without his usual swagger. The caucus had taken something else away. The aplomb was gone.

When he stepped out in the marble corridors just off the chamber, he was a shaken man. The handsome falcon's face was covered with a sheen of perspiration. The eyes were wounded. The collar of the smart blue and white striped shirt was crumpled. The strong voice shook, the big frame trembled.

When someone asked him what he had said in his own defense before the vote was taken, he said he had hailed his downfall as "a reward for excellence."

The mocking advocate of "black power" had become its first black victim. His colleagues, half envious, half outraged, had put an unceremonious end to the immunity his race had granted him.

He was free as usual to exploit the racial issue he had perennially invoked when blue-nosed investigators drew too close to his unabashed advocacy of the larger life.

For once, he was right. His long-suffering fellow-members had yielded to strong pressure from their constituents to slow down the high-stepper from Harlem. It was a literal white backlash.

He was shocked and crushed. There was a trace of tears as he told the press he would go and meet his followers in the House Education and Labor Committee room, his Capitol hearthstone.

But he could not face them at once. They sat glum and sullen at the site of his most restful official hours, in the big, blue-walled room he had presided memorably — joyfully lording it over cabinet members, interrupting their testimony to take calls on the white telephone that was cradled at his place in the center of the top row, grandly waving his cigar, splendidly sipping the coffee that was brought in by the exceptionally pretty staff aides.

The followers brooded and murmured to each other and snapped at a reporter who asked them where they were from. Some wore the Arabian skull-caps favored by the far-out civil-rights movements. Most had pins with the latest Powell slogan, "Keep the faith, baby."

—United Press International

Adam Clayton Powell after the fall.

Morose Hour

A morose hour passed in waiting, and presently a slender Negro minister stood up in the front of the room, leaned against a table and began to mourn the fallen idol.

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the Rev. Dr. [illegible] Rucker, pastor of the New White Rock Baptist Church in New York, and he told the mourners that "the one man responsible for this despicable act is Lyndon B. Johnson."

"God have mercy on the white power structure," he concluded, and the faithful responded, "Right!"

The pastor was led to the dais, to the ex-chairman's seat, to say it again for the television cameras. He was fairly launched on a rambling indictment of another New York congressman, Emmanuel Celler, when suddenly someone shouted, "Where y'as be when Malcolm X was murdered?"

The eyes of the astonished rostrum swiveled to a man with a beard and a dark red sweatshirt scrambling in the middle aisle.

He began to shake his fist and yell, "We are going to burn this country down."

The Capitol police looked on in stupefaction. Some more soberly clad Powell sympathizers moved out of the orator's vicinity. An elderly woman was heard to say, "Let's do it tonight."

Hero and Victim

At length, the hero and the victim of the assemblage appeared, and they surged up on the dais to embrace and cheer him. Powell had regrouped slightly, but he was still visibly suffering.

The old mischief gleamed only briefly. A British correspondent asked him a question, and the ex-chairman said, "Glad to see you old chap," in fair mimicry of the British accent.

Although he compared himself to Christ crucified and called his disapproving colleagues "rats," Powell, bereft of the power and the glory, was not himself. Time had made good his claim that he was a martyr for his race.

He was more nearly than he had ever been "the poor parish priest" that he had so often described but never until yesterday, believed himself to be.

0-19 (Rev. 12-9-66)

Powell Is Denied House Seat Pending Five Week Inquiry

VOTE IS 364 TO 64

Republicans Take Over After Rivals' Bid for Lesser Penalty Fails

By JOSEPH A. LOFTUS
Special to The New York Times

WASHINGTON, Jan. 10—The House of Representatives today denied Adam Clayton Powell his seat in Congress until a select committee has investigated and reported on his qualifications.

The committee was allowed five weeks to act from the time of its appointment by the Speaker. In the meantime, Mr. Powell's $30,000 salary will continue and he will be entitled to a staff, but he will not be allowed to vote.

The vote against Mr. Powell was taken as his supporters rallied noisily outside the Capitol and watched tensely inside the building.

Mr. Powell, in a plea to his colleagues before they began voting, said: "My conscience is clear. I am in God's hands and your hands. All I hope is that you have a good sleep tonight."

Actually there were two ballots taken on issues involving Mr. Powell.

Two Votes Taken

The vote to bar Mr. Powell was 364 to 64, but the true test vote came earlier on a House leadership motion to seat the Manhattan Democrat and investigate him afterward. That was voted down, 305 to 136.

It was the second blow in two days for Mr. Powell, a Harlem Negro and Baptist [illegible]. The Democratic caucus voted yesterday to give his chairmanship of the Education and Labor Committee to Carl D. Perkins, a Kentucky liberal. No formal House action has been taken yet on the chairmanship.

It was also the second blow for the Democratic leadership, which had tried on both days to let him keep his seat while the investigation was going on.

It was the Republicans, led by Minority Leader Gerald R. Ford of Michigan, who took over the Powell exclusion sponsorship after the Democratic leadership had failed.

Mr. Powell watched the balloting only long enough to convince himself that he had lost and then left the packed chamber to greet his friends on the front steps, where he told them to withhold their taxes since he could no longer vote as their representative. Late tonight, Mr. Powell issued a statement calling on "black people everywhere along with our white friends to begin to consider the feasibility of a new independent course of action in which they are the balance of power in all elections."

He accused a "nefarious coalition" of Northern liberals and the Republican party of denying him his seat, although it was Northern liberals who had fought for the lesser penalty of seating him, subject to investigation.

The committee that will investigate Mr. Powell will include five Democrats and four Republicans. It will be told to make recommendations within five weeks of its appointment. The House, of course, could extend that time.

The committee could recommend continued exclusion, with or without pay, until Mr. Powell made his peace with the courts or met other standards, expulsion or censure.

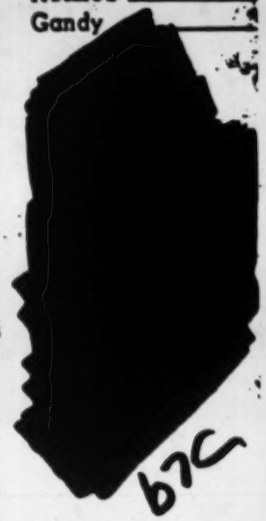
Unless the House acted on the recommendations or a variation of them, Mr. Powell would continue in his present status of exclusion with pay until the end of the 90th Congress two years from now.

Expulsion would require a two-thirds vote and would make his seat vacant. The Governor of New York would be expected to take official notice and set a date for a new election in the 18th District.

Most members of the House are aware that in a special election Mr. Powell would fare as well or better than he did last November when 74 per cent of the vote was cast for him.

The exclusion motion carried no bill of particulars but the debate related it to two central questions of Mr. Powell's qualifications: the criminal contempt of court charge against him in New York in connection with a defamation of character verdict against him and the findings of a House subcommittee that he made many personal trips at taxpayers' expense.

The House based its authority on Article 1, Section 5 of the



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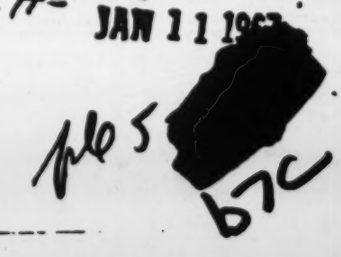

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Constitution, which provides that "each House shall be the judge of the elections, returns and qualifications of its own members."

Speaks in Own Defense

Mr. Powell, by unanimous consent of the House, was allowed to speak in his own defense although not sworn. He stepped to the well of the House and set a sheet of paper and his reading glasses on the lectern but did not use either. He wore a light shirt and a dark jacket.

Mr. Powell spoke for four and a half minutes with a delivery that was sometimes unheard or unclear because he did not stay with the microphone.

"My beloved colleagues," he began, "I know this is an agonizing moment. I know that if you could vote by secret ballot you would vote differently."

Referring to the New York court case, and apparently aware that the vote was going against him, he said, "You are prejudicing my case."

The criminal contempt against him was not a felony, he said, and therefore his case raised no constitutional issue.

"I am fighting not for me but for you," he declared. Two years hence, he added, similar action might be raised against his colleagues. Some heard him say that other members had "skeletons in their closet" and he knew "the names of every one of them."

On the roll call that followed, 126 Democrats voted to seat him immediately, but no Republicans. Opposed were 119 Democrats and 186 Republicans. The result made it lopsidedly clear that the die had been cast and many Democrats decided on the second roll call not to vote for a lost cause. For the record, these members have it both ways.

Lionel Van Deerlin, Democrat of California, who first announced an exclusion move against Mr. Powell, was recognized by the Speaker for a request that the New Yorker stand aside while other members took the oath. That part of the procedure traditionally is accepted without challenge. Mr. Van Deerlin was explaining that he would follow with a resolution of exclusion but the Speaker cut him off and told Mr. Powell to stand aside.

After the swearing-in ceremony, the Speaker recognized Morris K. Udall, Democrat of Arizona, for the motion to seat Mr. Powell while the investigation proceeded.

Mr. Van Deerlin was not on his feet.

"I did not want to embarrass the Speaker," he explained afterward.

When the Udall motion went down the Speaker recognized Mr. Ford.

"It was the Speaker's option to recognize him," Mr. Van Deerlin explained. "Besides, there is no pride of authorship."

His resolution was substantially the same as the Ford resolution except that it did not carry a time limit on the committee's investigation.

Van Deerlin's Argument

Mr. Van Deerlin, however, managed to get three minutes of a one-hour debating period. He remarked that those trying to seat Mr. Powell now had contended that Mr. Powell had not had his day in court.

"Nearly a dozen judges in New York State," he added, "will tell you where the fault lies. We who are charged with helping write the laws of the land must show respect for those laws, and more particularly, for the other branch of government.

"If Article 1, Section 6 is to be so twisted to provide protective cover, if the election to the House of Representatives carries a license for scofflaws, if this chamber is to become a haven for fugitives, then, before the bar of public opinion, I say God help the Congress of the United States."

The constitutional reference presumably was that Representatives "shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses . . ." and in going to and from these sessions.

Some lawyers said that as long as Mr. Powell was denied the oath of office, he would have no Congressional immunity from four arrest orders pending against him in New York for contempt of court. However, others said the courts would have to decide the question.

If Mr. Powell is sworn in, the immunity will protect him only from three of the civil contempt arrest orders, these sources said.

The fourth arrest order is for criminal contempt and makes no recognition of any immunity, a point that Mr. Powell is appealing in state and Federal courts in New York. None of the four arrest orders can be executed outside the state.

During most of the debate on his fate, Mr. Powell stood between the back rail and the cloak rooms where the rules permitted him, puffing his cigar and observing the proceedings.

When Majority Leader Carl Albert of Oklahoma asked unanimous consent that Mr. Powell, despite the fact that he had not been sworn, be permitted to go on the floor and take part, one voice rose in objection. Speaker John W. McCormack ruled that the objector would have to rise and identify himself.

William L. Dickinson, Republican of Alabama, stood up in a back row. A few of his Republican colleagues murmured "No to him, Mr. Dickinson then announced, "I withdraw my objection."

Mr. Udall, more than any individual, carried the burden of debate to seat Mr. Powell. It was another Democrat who called attention to the fact that if the New Yorker were sworn he could not be unseated except by a two-thirds vote. To exclude required only a simple majority.

Mr. Udall, defending his resolution, said:

"I will lay my civil rights record on the line with anybody. I don't understand these racial cries. Mr. Powell appears today with a certificate of election as good as yours and mine. He was elected by three to one."

The "abuses with which he is charged," said Mr. Udall, derived from his power as chairman of a committee, a post he no longer holds. "This story is done. The public has won. . . . He is no longer chairman of this committee and probably never will be again. . . . He is no longer in control of the staff. . . . Are we going to kick a man when he is down?"

The Republicans raised rules and precedents, stirring Majority Leader Albert to declare: "The American way is first to give a man a trial and then to convict him."

The House whooped with glee and even Mr. Powell, back of the rail, was bent low with laughter. Mr. Albert was able to smile and made a brief, dignified recovery.

The House seated another challenged member-elect, Benjamin B. Blackburn, Georgia Republican, subject to reversal if a recount does not support his apparent election. Mr. Blackburn was not challenged on qualifications, as distinct from election returns.

Associated Press Wirephoto

'NO TAXATION WITHOUT REPRESENTATION': Adam Clayton Powell, on steps of Capitol after his exclusion from House, tells throng of supporters from his district to withhold their taxes until he regains his seat.

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Powell Can Run Again If He Is Ousted

By ALEX BENSON
World Journal Tribune Staff

If Rep. Adam Clayton Powell now quits his congressional seat—or if the seat is declared vacant—he could run for it again in a special election after about 30 days.

Thus Powell, who yesterday was barred from taking his seat by his fellow lawmakers, could attempt to re-enter Congress blustered by a new vote of confidence from his Harlem constituents. If again barred, he could even repeat the cycle.

According to Thomas Mallee, secretary of the New York City Board of Elections, this is how the Powell situation appears today:

The seat in Harlem's 18th Congressional District is considered occupied, even though Powell can't sit in it and can't vote.

If, as rumored, Powell decides to resign, or if the House of Representatives, after hearing a report of the special committee investigating Powell, votes to vacate his seat, then the clerk of the House would certify the vacancy to Gov. Rockefeller in Albany.

Gov. Rockefeller would then order a special election, giving the Board of Elections at least 30 days notice.

In such a special election, according to Mallee, candidates for each party would be designated at a meeting of the party's county committeemen from within the congressional district. Each party has several hundred county committeemen in the 18th.

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Post

ACTION ON POWELL UPSETS KENNEDY

He Deplores Harlem's Loss of Voice Before Inquiry

Senator Robert F. Kennedy said last night he was "disturbed" that Representative Adam Clayton Powell's Harlem constituents "are to be deprived of representation for at least five weeks and this will occur even before the committee investigating this matter has made any findings or rulings on the charges."

New York's other Senator, Jacob K. Javits, said it was "most regrettable" that Mr. Powell had been denied his Congressional seat, as it involved "raising tensions in an area [Harlem] where that is most deplorable."

Asked if he thought the Powell case would result in disturbances in Harlem, Mayor Lindsay, a former member of the House, said, "I hope not . . . I surely hope not."

Senator Kennedy made known his views on the Powell issue in a statement released by his New York office that said:

"The House, of course, is the sole judge of the qualifications of its members, as explicitly provided in the Constitution. I am disturbed, however, that the people of Congressman Powell's district are to be deprived of representation for at least five weeks and this will occur even before the committee investigating this matter has made any findings or rulings on the charges.

"I am also disturbed that this action was taken before the adoption of any uniform code of conduct applicable to all members of Congress, equally and fairly, extending not only to the use or misuse of Government funds, but to every conflict of interest between the people and their representatives—for example, acceptance of fees from groups interested in legislation; the practice of law with clients affected by Federal action; investment in companies regulated or dealing with the Government; and also the qualifications of members elected in areas where qualified voters are denied their right to vote in defiance of the Constitution."

Senator Javits said Mr. Powell was "a good chairman, on balance," and he did not believe Mr. Powell had been singled out for the treatment he got from the House because of his race.

"My fervent hope," he said, "and I will do all I can toward that goal, is to bring about a situation where he can square himself with the court and his public."

Mayor Lindsay agreed that Mr. Powell had not been singled out as a Negro for punishment. Asked to compare Mr. Powell with other House committee chairmen, the Mayor replied: "Undoubtedly some chairmen have been more effective. They have been more often on the scene and worked harder at being Congressmen."

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UPI-101
(POWELL)

MOSCOW--THE SOVIET PRESS HAILED ADAM CLAYTON POWELL TODAY AS A "SCAPEGOAT" AND PREDICTED HIS PROVISIONAL EXPULSION FROM CONGRESS WILL CAUSE A "SHIFT TO THE LEFT" IN THE U.S. NEGRO MOVEMENT.

IZVESTIA SAID THE NEW YORK DEMOCRAT "HAS NOT ALWAYS BEEN A LEADER OF REAL STATURE. HE IS A PREACHER, A PLAYBOY, A LOVER OF THE SWEET LIFE, WHO LIKED TO HAVE A GOOD TIME ON GOVERNMENT MONEY."

BUT IT PORTRAYED HIM AS A "VETERAN OF THE STRUGGLE AGAINST DISCRIMINATION" WHOSE TROUBLE STEMMED FROM THE FACT HE WAS "TOO FRANK."

"THIS CANNOT EXCUSE HIS COLLEAGUES, WHO TURNED POWELL INTO A SCAPEGOAT," IZVESTIA SAID.

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Adam Clayton Powell

PI-100 ADD 1 POWELL, WASHINGTON (UPI-12)

MEANTIME THE HEAD OF A HARLEM GROUP MET WITH MCCORMACK, THANKED THE SPEAKER FOR HIS EFFORTS IN BEHALF OF POWELL AND SAID THE SPEAKER TOLD HIM POWELL WAS NOT TREATED FAIRLY.

HE QUOTED MCCORMACK AS SAYING "EVEN A MURDERER IS ENTITLED TO JUSTICE."

THE REV. A. KENDALL SMITH, HOWEVER, SAID MCCORMACK COMMENTED THAT "IT WOULD NOT BE WISE" FOR THE GROUP TO PICKET THE DEMOCRATIC NATIONAL COMMITTEE, AS IT PLANS TO DO NEXT WEEK.

THE SPEAKER WAS ALSO ASKED TO USE HIS INFLUENCE WITH PRESIDENT JOHNSON TO GET THE CHIEF EXECUTIVE TO MAKE A PUBLIC STATEMENT IN SUPPORT OF POWELL.

SO FAR, SMITH SAID, "THE PRESIDENT HAS ACTED WITH POLITICAL COWARDICE."

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WASHINGTON CAPITAL NEWS SERVICE

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ADD 2 POWELL, WASHINGTON

MCCORMACK SAID AT HIS DAILY NEWS CONFERENCE THAT HE HAS NOT YET CHOSEN THE DEMOCRATIC MEMBERS OF THE COMMITTEE. HE DECLINED TO COMMENT WHEN A REPORTER ASKED HIM ABOUT REPORTS THAT HE WAS RUNNING INTO PROBLEMS ON THAT SCORE.

REP. WAYNE HAYS, D-OHIO, MET WITH MCCORMACK AND TOLD NEWSMEN AFTERWARDS THAT HE SUGGESTED MEMBERS OF THE JUDICIARY COMMITTEE BE NAMED TO THE SELECT COMMITTEE.

"THERE ARE CONSTITUTIONAL QUESTIONS INVOLVED AND I THINK THERE THE MEMBERS OUGHT TO BE LAWYERS," HAYS SAID.

THE OHIO DEMOCRAT HEADED AN ADMINISTRATION SUBCOMMITTEE WHICH LATE LAST YEAR INVESTIGATED POWELL'S STEWARDSHIP OF THE EDUCATION AND LABOR COMMITTEE AND CHARGED HIM WITH USING COMMITTEE TRAVEL FUNDS FOR PERSONAL TRIPS.

HAYS FAVORED REMOVING POWELL AS CHAIRMAN BUT CLAIMS HE SHOULD BE ALLOWED TO KEEP HIS SEAT.

HAYS SAID HIS OFFICE RECEIVED CALLS WEDNESDAY FROM SEVERAL NEGROES WHO ASKED HIM TO VOLUNTEER TO SERVE ON THE SELECT COMMITTEE "BECAUSE THEY FELT I ACTED OBJECTIVELY IN MY INVESTIGATION."

BUT HAYS SAID HE TOLD MCCORMACK HE DID NOT WANT TO BE ON THE PANEL.

"DID THE SPEAKER ASK YOU GO TO ON IT?" A NEWSMAN WANTED TO KNOW.

"NO HE DIDN'T," HAYS SAID. "YOU MIGHT SAY I DECLINED BEFORE HE ASKED."

ANOTHER CONGRESSMAN WHOSE NAME COMES TO MIND ALMOST IMMEDIATELY AMONG THOSE SPECULATING ON THE COMMITTEE'S MEMBERSHIP IS REP. WILLIAM MCCULLOCH OF OHIO, THE SENIOR REPUBLICAN ON THE JUDICIARY COMMITTEE.

BUT MCCULLOCH HAS MADE IT PLAIN TO THOSE WHO HAVE TALKED TO HIM THAT HE HAS NO INTEREST WHATSOEVER IN THE JOB.

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Powell Slap Acts as Harlem Unifier

By DOUGLAS SEFTON

From the Italian marble pulpit in Harlem's Abyssinian Baptist Church the Rev. Adam Clayton Powell thunders: "I am you!" And from the pillared and porticoed recesses of the church the congregation roars back: "Amen!"

There is evidence today that the "amens" are reverberating throughout Negro America. From Harlem to Watts, in California, many black men seem to feel that the Congressional reprimand leveled at Adam Powell is in effect a slap at every Negro in the country.

The irony of the situation is that Powell the Congressman often has been a source of irritation to many segments of the Negro population. But Powell the "martyr" is emerging as a unifying force for all.

City Human Rights Commissioner William H. Booth told THE NEWS yesterday that he has "not been a staunch supporter of Powell in the past." But when the chips were down in Washington Tuesday, Booth was there at a staff meeting in the Congressman's office.

"Formulating Plans"

Roy Innis, firebrand chairman of the Harlem Chapter of the Congress of Racial Equality, is not usually on the same side of things as Booth. He said yesterday that he was trying to arrange a meeting with Powell to "formulate our plans around him."

Both men spoke with one mind yesterday. Innis said: "Powell's power has been increased. It has been strengthened." And Booth said: "We rally around the symbol of what he is." The actions of which he has been accused have nothing to do with this symbol, Booth indicated.

Powell's power to pull together divergent groups was proved in Washington Tuesday only hours after the House of Representatives voted 364 to 64 to bar him temporarily. A crowd of 1,000 noisy supporters spilling over the Capitol steps split suddenly, and 200 of the ultra-militants moved to a grassy area a few hundred yards away to demand action.

Threaten Moderates

Threats were directed toward the moderates who remained on the steps to the effect that when the time came the militants would get them, too.

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New York Post
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The Sun (Baltimore)
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The National Observer
People's World

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But when Powell came striding down a roadway a block away, their differences were forgotten and all ran to meet him.

"Powell — Powell — Powell," they chanted and, bathed in their emotion, the Congressman-minister set his jaw and indicated in no uncertain terms that he wasn't taking this lying down.

Let others complain that Powell broke all records for absenteeism in Washington. Let them rail about his junketing around the world at taxpayers' expense. And about his putting relatives on his Congressional payroll and about his flaunting of the law in refusing to appear in New York courts.

In Harlem, Adam Clayton Powell is a legend. Tall, robust, handsome and with a complexion that could have come from a Florida tan, the 58-year-old legislator wears magnetism like a cloak and exudes charm like the smoke of the expensive cigar he favors.

"His people," not only the 10,000-member congregation that makes Abyssinian Baptist one of the largest Protestant churches in the world, but others who may never have seen the inside of that or any other church, are capable of forgiving all.

Former Manhattan Borough President Hulan Jack told how

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it was at the New Deal Democratic Club at 115 W. 116th St., which he heads.

"People coming in are furious," he fumed. He said they believe "Adam is the martyr of a power structure that has no sympathy for Negroes."

Jack said Powell was the "symbol of all the struggles we as Negroes have gone through." And of what happened in Washington, he added, "One day you killed the man, but you have buried all of us."

Psychologists explain that Powell appeals to the Walter Mitty in the Negro. They explain that, like Powell, any of us would garb himself in tailor-made clothes, drive a Jaguar, dine at the 21 club and make the scene with beautiful women and the rich and famous of all races.

So What, the Folks Say

To the Harlemite-in-the-street, if Adam Powell has to stop on a few white toes to get all this, they couldn't care less.

They agree with Powell when he points out: "I like to eat pig's feet, pickled or boned. But I also like to eat high on the hog, where the cuts are the best."

Ida Caballaro is a salesgirl in a 125th St. shoe store. "It's a shame," she said. "It's true what he did was wrong but, I mean, none of us is perfect."

Gail Douglas, director of the Leadership Training Institute on 125th St., said: "Nobody can be indifferent to the incredibly crude thing that's been done to Congressman Powell. There are too many Negroes in this country who have received a great deal of education and other benefits because of Powell."

Others were stronger. James Bridges, an administrative assistant to Harlem Act called the House move "hypocrisy." When he heard the news, he was reduced to a "state of dismay and shock."

Eric Swaby, a civil rights organizer, said: "People are angry."

Police Capt. Arthur Hill, Negro commanding officer of Harlem's 28th Precinct, disclosed that he had made a walking tour of his precinct to take the pulse of the population.

Tension Raised

"I have not seen or felt any disorder yet," he said, but the Congressional action definitely has "raised tension and temperature. And the way things are going now, they can't get any shorter."

Negro political leaders in the city were obviously shaken. They are fearful that Powell's threat to pull his supporters out of the Democratic Party will cost them dearly in local elections.

Hulan Jack said: "I think the Democratic Party is in trouble. There are people here now who are ashamed to be associated with the party."

Assemblyman Critical

Assemblyman Jose Rafael Lopez, Democrat, whose 76th District extends from 97th to 118th Sts., criticized the party for "not taking a more active part in avoiding this action."

New York County Chairman Raymond Jones complained that from where he sat it looked as though the Democrats are "moving toward the right." Even the most "conservative" Negro, he said, knows that it was a "lynching."

Whatever the House of Representatives decides after a five-week "trial" by a select committee, there are forces at work to see that Adam Powell will not be barred from Congress—no matter what.

Jones said yesterday that if Adam is not seated "I'll tell the Governor to hold a special election. I'll convene the county leaders and we will renominate Adam."

Powell said it at a victory rally several years ago, but there is no doubt that he would repeat it today: "I know you are going to vote for me till the day I die. And I do believe that after I'm dead some of you will go to the polls and write my name in."

In Harlem yesterday the odds were 8 to 5 that Adam was telling it the way it is.

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Followers of Adam Clayton Powell rally around him outside Capitol on Tuesday.

Adam Clayton Powell—a legend in Harlem.

William H. Booth
The ships are

Roy Innis
Seeks expulsion with Ad

0-19 (Rev. 12-9-66)

2 N. Y. Senators Assail House Move

By PAUL HEALY

Washington, Jan. 11 (NEWS Bureau)—New York's two Senators ignored Congressional tradition today and assailed the House for denying a seat to Adam Clayton Powell and leaving his Harlem constituents unrepresented for at least five weeks.

By contrast, the mercurial Powell was reported to be "buoyant, his old swinging self."

His top aid, C. Sumner Stone, said his boss was far from crushed by the House's action yesterday in barring him from taking the oath pending a probe by a select committee.

The usually voluble clergyman passed the word through Stone that he would be making "no announcements" while the nine-member committee—still to be named—ponders the charges against him.

"Outpouring of Support"

Powell also expressed his gratitude for an "outpouring of support." Stone said Powell has received the support not only from his constituents who came here to cheer him in defeat yesterday but from Negroes and whites across the country.

Stone said Powell asked him to pass along his daily message to his followers—"Keep the faith, baby."

Although members of one wing of Congress seldom criticize the other, Sens. Robert F. Kennedy (D-N.Y.) and Jacob K. Javits (R-N.Y.) lost no time in objecting to the House's crackdown on Powell.

Javits called the action "most regrettable" and said it raised tensions "in an area (Harlem) where that is deplorable."

"A Good Chairman"

He added that he believed Powell has been "a good chairman, on balance," of the House Education and Labor Committee. It was partly because of allegedly deceptive practices—not connected with legislation—as chairman that Powell was disciplined by the House.

Said Javits: "My fervent hope—and I will do all I can toward that goal—is to bring about a situation where he can square himself with the court and the public."

The court case he was referring to is the contempt action against Powell in New York for failure to pay a $164,000 libel judgment.

Kennedy said in a statement that he was "disturbed to know

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that the people of Congressman POWELL'S district are to be deprived of representation for at least five weeks and that this will occur even before the committee investigating this matter has made any finding or ruling on the charges."

Wanted: 9 Willing to Serve

Speaker John McCormack and GOP leaders are expected to need only another day or so to find nine House members willing to serve on the probe panel.

Kennedy also questioned the House's wisdom of barring Powell before it adopts a uniform code of conduct that would apply to all Congressmen "equally and fairly."

Such a code, Kennedy said, should extend not only to the use or misuse of government funds, but to "conflict of interest between the people and their representatives."

Meanwhile the Rev. Henry Dodley Bunker of New York's new White Rock Baptist Church delivered a petition to the white house from Negro ministers across the country asking President Johnson to intervene for Powell. The petition was left at the White House gate. The White House had no comment on it.

And late today the Harlem Citizens for Community Action announced that it will picket the House, White House and the Democratic National Committee starting next week until "responsible Democratic leadership" speaks up for Powell.

Confers With Lawyer

Powell conferred in his office today with William Kunstler, civil liberties lawyer handling a suit brought by some of his constituents seeking to overturn Powell's conviction for criminal contempt.

A report that Powell has put his estranged wife, Yvette Marjorie, back on his Congressional payroll proved to be untrue as of today.

A Congressman who checked the House paymaster's records confirmed that Mrs. Powell has been off the payroll since Dec. 31, as directed by House probers. She had been drawing $20,578 a year while living in Puerto Rico.

Inevitable but Tragic, Is Mayor's Comment

Mayor Lindsay called the temporary unseating of Rep. Adam Clayton Powell "a tragic human event." He said President Johnson's proposed tax increase would be "justified" if a fair share of the extra money goes to cities.

Speaking to newsmen at Sardi's, 234 W. 44th St., the Mayor said the House had little choice in its action against Powell.

"I think the House members came out about the way they had to come out (against Powell)," he said. "But I feel the whole thing is a tragic human event."

And of the tax increase, Lindsay said funds for cities should be budgeted on the same level as defense and space programs. Any cut in aid to cities would be "an error," Lindsay said.

Sen. Jacob Javits
"Most regrettable," he says

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Rights Group Silent on Powell, Asks Congress Ethics Code

By LARRY A. STILL
Star Staff Writer

The Leadership Conference on Civil Rights, a coalition of 70 groups, today refused to criticize Congress' action on Rep. Adam C. Powell, D-N.Y., but called for a "uniform code of ethics" for all congressmen and committee chairmen.

A spokeman for the interracial coalition said member groups would have to decide individually whether to support veteran Negro leader A. Philip Randolph's call for a "Negro summit conference" to consider action against congressmen responsible for unseating Powell.

The conference's statement on Powell was issued by Roy Wilkins, chairman and NAACP executive director, who also called for new education, welfare and labor legislation as the basis for further advances in civil rights.

"The action of the House in connection with Adam Clayton Powell will be measured against the steps Congress now takes to establish a uniform code of ethics, standards of conduct and rules of procedure," Wilkins said.

"If Congress believes, as we do, that a member should not use public funds for private activities, then this principle should be adopted as a rule of Congress and strictly enforced against all members," he added.

He also called for dropping the seniority system as a basis for determining committee chairmanships and a new set of standards, which if violated, would be the basis for the denial of any chairmanship.

Powell Tuesday was unseated and stripped of his chairmanship pending a five-week investigation of his activities.

Randolph, president of the Brotherhood of Sleeping Car Porters, said the congressional action against the Harlem Negro congressman "reflected the greatest crisis in Negro-white relations."

A spokesman said proposals for conference topics would include:

Blacklisting of Republican and Democratic congressmen from Northern industrial centers with large Negro populations who were "directly or indirectly" responsible for Powell's House defeat.

Designation of congressmen to be defeated by Negro voters at the polls and intensification of voter-registration drives in the northern urban areas to accomplish this aim.

One close associate of Randolph said Rep. Emanuel Celler, a veteran Brooklyn Democrat, would be named as one of the targets because he did not "actively" work to save Powell, the Associated Press reported.

Celler responded by noting that he had been the author and floor manager of all the House civil rights bills since 1960.

United Press International said Randolph plans to talk with the heads of the major national civil rights organizations within the next few days to set a date and place for the meeting and hopes to be able to hold it within two weeks.

In the congressman's home district last night, a rally in support of Powell heard a suggestion that Negroes all over the country shut off their utilities for a day to protest the congressional action.

Meeting in Miami, Fla., the Negro-oriented National Newspaper Publishers Association called Powell a "crusader for freedom and equality" and issued a demand that he be given his seat in Congress.

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Powell's Son Gives New Facts On Libel Case to Justice Dept.

Washington, Jan. 13 (AP)—Adam Clayton Powell 3d, 20-year-old son of the Harlem Congressman, appeared with a lawyer at the Justice Department today to ask the government to investigate his father's libel case loss in a New York court.

The lawyer, Paul Zuber, of New York City, said he had been investigating the case since early December and now has evidence that will prove Powell innocent of the libel charges.

Powell had accused Mrs. Esther James of being a bag woman—carrying payoffs from racketeers to police.

Mrs. James sued Powell and her lawyers have been trying to collect a $164,000 defamation judgment she won.

Friend Goes Along

Zuber and Powell were accompanied by Dr. Theodore Bullard, a Harlem gynecologist who said he is an old friend of the Congressman. All three are Negroes.

They waited for more than half an hour in the outer office of Acting Attorney General Ramsey Clark. They were told by Clark's secretary that he was too busy to see them. A Justice Department aid took them to Carl W. Belcher, the chief of the department's general crime section.

Zuber quoted Belcher as saying he would look ovevr the evidence.

Adam Clayton Powell 3d
Fights for his father

Zuber said that New York State has not looked thoroughly into the matter and the federal government should.

Earlier this week Powell was denied his seat in the House of Representatives, at least temporarily, after being stripped of his rank as chairman of the House Education and Labor Committee.

His failure to obey New York State court orders and his behavior as committee chairman aided in the decision by the fellow Congressmen.

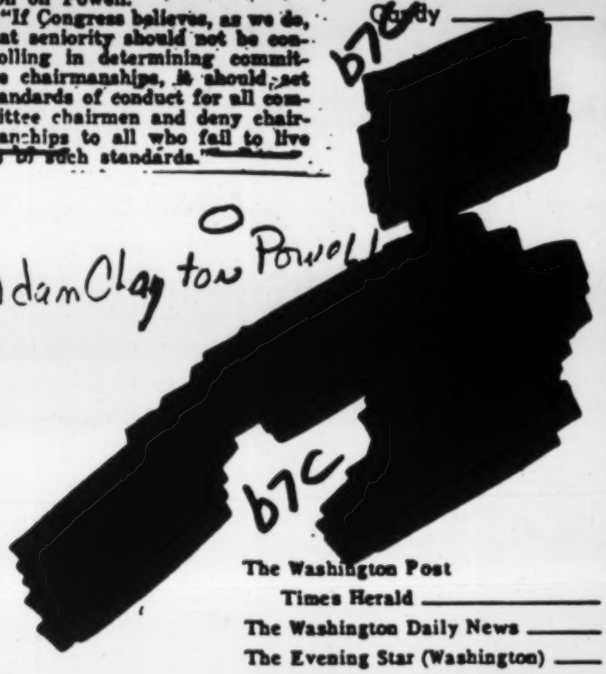
The Leadership Conference on Civil Rights, meanwhile, called on Congress "to establish a uniform code of ethics, standards of conduct and rules of procedure."

Wilkins Issues Statement

The conference is made up of representatives of about 70 national civil rights, labor, religious and fraternal groups. Its stand was set forth in a statement by Roy Wilkins, conference chairman and head of the National Association for the Advancement of Colored People.

"If Congress believes, as we do, that a member should not use public funds for private activities, then this principle should be adopted as a rule of Congress and strictly enforced against all members," the statement said after referring to Congress' action on Powell.

"If Congress believes, as we do, that seniority should not be controlling in determining committee chairmanships, it should set standards of conduct for all committee chairmen and deny chairmanships to all who fail to live up to such standards."



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Rights Unit Silent on Powell, Labor's Role Is Questioned

By LARRY A. STILL
Star Staff Writer

Organized labor's lack of support of Rep. Adam Clayton Powell, D-N.Y., was being questioned today after the AFL-CIO dominated Leadership Conference on Civil Rights refused to take a stand on the issue.

The coalition of 70 religious, labor and civil rights groups issued a statement yesterday refusing to criticize Congress for its actions on Powell, but calling for a "uniform code of ethics" for all congressmen and committee chairmen.

A spokesman for the AFL-CIO said the union supported the leadership conference statement but that religious groups attending the conference session wanted a stronger statement in Powell's favor.

Labor representatives apparently did not favor the move for a stronger statement.

Issued by Wilkins

The statement—issued by Roy Wilkins, chairman and NAACP executive director—said:

"The action of the House in connection with Adam Clayton Powell will be measured against the steps Congress now takes to establish a uniform code of ethics, standards of conduct and rules of procedure.

"If Congress believes, as we do, that a member should not use public funds for private activities, then this principle should be adopted as a rule of Congress and strictly enforced against all members."

Wilkins called for dropping the seniority system as a basis for determing committee chairmanships and for a new set of standards, which if violated, would be the basis for the denial of any chairmanship.

Some Asked Stronger Support

Marvin Caplan, director of the conference's Washington office and an AFL-CIO official, said that although the statement "represented a consensus, quite obviously there those who wanted to go much further" in support of Powell.

Among the groups who reportedly favored stronger support were representatives of the National Council of Churches—the Congress of Racial Equality and the Student Nonviolant Coordinating Committee.

The AFL-CIO position was drafted by the union's civil rights division whose spokesman said: "We were not anti-Powell and we were not pro-Powell. We certainly did not proselytize against him ... Everyone knows Powell's position on common situs picketing."

The Harlem Democrat has been feuding with labor leaders for months over his opposition to the bill.

Chief Reasons for Stand

The chief reason for lack of organized civil rights support for Powell was attributed to the fact that he did not ask for it because he beleived he would not lose his chairmanship or seat, Wilkins said later.

In another development, Adam Clayton Powell III turned to the Justice Department yesterday in an attempt to overturn the $164,000 libel judgement against his father in New York.

The younger Powell, accompanied by two attorneys, went to the department's criminal Division with what they claimed was new evidence in the New York case. It was not clear why they went to the department, which has no known jurisdiction over the case.

Talking to reporters, young Powell waved what he claimed was an affidavit which proved certain contentions his father had made at his trial.

The elder Powell was convicted of libel by a New York state court for accusing a Harlem widow of being a "bag woman" (graft collector) for the police.

Since the conviction, Powell has been beset by a series of court actions for his refusal to pay the judgement or appear in court under subpoena.

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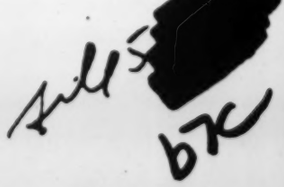

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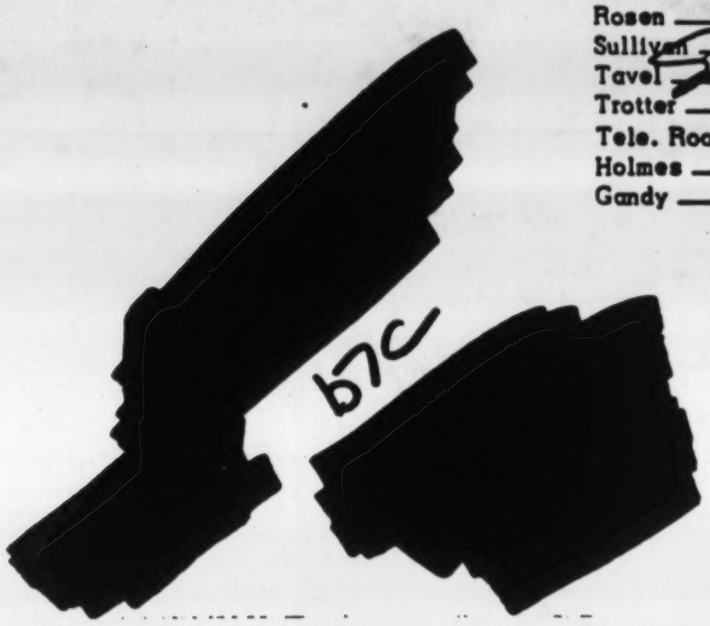

UPI-61
(POWELL)
MOSCOW--THE RUSSIAN PEOPLE WERE TOLD TODAY THAT REP. ADAM CLAYTON POWELL WAS DENIED HIS SEAT IN CONGRESS BECAUSE HE WAS A NEGRO ONLY DOING WHAT WHITE CONGRESSMEN GET AWAY WITH.

THE PROVINCIAL DAILY SOVETSKAYA ROSSIYA (SOVIET RUSSIA) ALSO SAID THE NEW YORK DEMOCRAT PICKED UP HIS BAD HABITS FROM THE WHITE POLITICIANS HE HAS ASSOCIATED WITH FOR SO LONG.

"IT WAS DISCOVERED LAST YEAR POWELL MADE SOME PERSONAL TRIPS, USING COMMITTEE FUNDS," THE NEWSPAPER SAID. "IF THIS HAD HAPPENED TO ANOTHER CONGRESSMAN, NOBODY WOULD HAVE PAID ANY ATTENTION. BUT POWELL IS A NEGRO."

THE ARTICLE, WRITTEN BY M. SYRTZOV, SAID "SOME CREDIT SHOULD GO TO POWELL. HE IS ACTIVELY DEFENDING NEGRO RIGHTS OF HARLEM, WHERE HE IS CONSIDERED TO BE ONE OF THE RECOGNIZED LEADERS.

"BUT HIS PROLONGED STAY WITH SEASONED POLITICIANS HAQ LEFT ITS MARK."

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46 JAN 27 1967

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WASHINGTON CAPITAL NEWS SERVICE

0-19 (Rev. 12-9-66)

Powell Case, in 6½ Years, Has Involved 80 Judges, 10 Courts, 4 Juries, 15 Lawyers and Congress

By ROBERT E. TOMASSON

Early one Sunday evening in March, 1960, Representative Adam Clayton Powell entered a television studio on the fourth floor of a building in Times Square.

The Harlem Democrat had been asked to appear on an interview program, called "Between the Lines," after the scheduled guest, Senator Hubert H. Humphrey, then a strong contender for the Democratic Presidential nomination, was unable to fly up from Washington because of bad weather.

The producer of the Channel 13 program, who also acted as moderator, was Lester Wolff. He recalled yesterday that Mr. Powell was asked to appear "at the last minute."

From 7 until 7:30 that night, Representative Powell ranged over a wide area of topics including one of his favorites — alleged police corruption in Harlem.

"I can name names," he said.

And he did. One of them was Mrs. Esther James, whom he called a "bag woman for the Police Department."

Joined in Voting

Last Tuesday, Mr. Wolff, now a Democratic Representative himself, joined with 363 of his colleagues in voting to bar Mr. Powell from the House for at least five weeks while a Select Committee investigated his qualifications.

Both Mr. Wolff and Mr. Powell, as well as other Congressmen, have said that one of the most important causes of the exclusion vote was Mr. Powell's defiance of court mandates in a defamation case that originated on that March 6 program almost seven years ago.

This is the story of that case and how it developed into what legal authorities say is the most tortuous defamation suit ever tried in American courts.

Mrs. James who, like Mr. Powell, is a Negro, testified that she was in her third-floor, five-room railroad flat at 744 Amsterdam Avenue between 146th and 147th Streets on the night of the program when a friend called to tell her that Mr. Powell was talking about her on television.

Heard Her Name on TV

She turned on her television set, she said, and heard herself described as a "bag woman."

The term "bag woman" or "bag man" is a slang expression, that denotes a person used by corrupt policemen to pick up bribe payments from gamblers in return for freedom from arrest.

It is not a foreign expression in Harlem, and Mrs. James knew what it meant.

The next day, she said, she called Mr. Powell's office in Washington in an attempt to have him apologize.

Despite repeated calls, she said she was never able to talk to him.

She then decided to sue the Representative and went to what she will only now describe as a "Wall Street law firm."

The firm refused to take her case, and in July, 1960, she made an appointment to see Raymond Rubin, a lawyer in practice by himself with offices at 291 Broadway at the corner of Chambers Street.

The lawyer said yesterday that Mrs. James came to him after she had read stories about him in several Negro periodicals.

Sugar Ray's Dog Case

One concerned a $20,000 award he had obtained on behalf of a client who was bitten by a dog owned by the former prizefighter, Sugar Ray Robinson. Another case was a $75,000 judgment he had won for a Negro youth maimed in a factory explosion.

On July 28, 1960, the case of James v. Powell started when complaints were served on the Representative, the television station and the program sponsor, Associated Food Stores. (Channel 13, now a National Educational Television station, was commercially owned in 1960.)

In February, 1961, after several pretrial hearings, the station and the sponsor settled with Mrs. James for a total of $1,500 and were dropped as defendants.

At the time, Mr. Powell refused either to apologize to Mrs. James or discuss a money settlement.

With the start of the $1-million suit for defamation of character against Mr. Powell came telephoned and written death threats to Mrs. James and her lawyer warning them to drop the case.

Threats Received

On several occasions Mrs. James received police protection; Mr. Rubin attended many social functions and even court hearings in the company of city detectives during the past six years.

As the date for a trial approached, Mr. Powell began to discuss a settlement. After the first day of the trial, he offered Mrs. James $10,000 without making an apology, which she rejected. At the end of the second day of trial, he offered to make a formal apology as well as pay her $10,000.

This offer was also rejected because, Mr. Rubin explained, he felt that he had "torn apart" Mr. Powell's defense witnesses and stood to get his client a much better award from the jury. He was right.

The two witnesses were convicted gamblers who testified they had made regular payments to Mrs. James for police protection.

Mrs. James swore that she had never acted as a go-between for corrupt police and gamblers. What she was, she said, was a police informer.

But she insisted that while she told the police about persons she thought were gamblers, she never received any money from either police or gamblers.

But perhaps her greatest asset was a nonlegal fact; she attended the four-day trial, while the Representative did not.

After a State Supreme Court jury found Mr. Powell guilty of defamation and ordered him to to pay a $211,500 judgment, several jurors said that Mr. Powell's nonappearance had figured in their evaluations.

"She [Mrs. James] was here, we [the jurors] had to be, so why wasn't Powell?" one of the jurors asked after the trial, noting that the Representative's trial lawyer, Charles T. McKinney, had told the court that Mr. Powell would testify.

"The king is dead; Adam Powell is finished," an exultant Mrs. James kept repeating reporters.

Mr. Powell's nonappearance in subsequent litigation was to be a major characteristic of the case and a vital factor in his ouster at least temporarily from the Congressional seat he has held for 22 years.

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The Washington Post
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World Journal Tribune
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The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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20 Judges Have Sat

After the trial ended on April 8, 1963, Mr. Rubin and a series of lawyers for Mr. Powell locked horns in another legal fight, a fight unlike any fought in American courts.

The complexity of the case can perhaps best be indicated by statistics.

More than 20 different judges sitting in 10 courts have heard aspects of the case, many of them several times.

It has been argued in two courts in Puerto Rico, where Mr. Powell used to spend his vacations, as well as the Criminal Court here, State Supreme Courts in Manhattan and Westchester, the Appellate Division, the Court of Appeals, Federal District Court, the Federal Court of Appeals and the United States Supreme Court.

In addition to the first jury, three other juries in State Supreme Court have heard charges against Mr. Powell as has a grand jury.

All the legal papers in the case add up to a stack about 20 feet high.

The dispute is simple. Mrs. James is trying to collect her judgment, while Mr. Powell does not want to pay. Legally, however, the case has raised constitutional questions never resolved.

Both sides in the dispute have indicated that to a large extent, the prolonged nature of the case is attributable to miscalculations made by both.

Mr. Rubin did not anticipate the staggering number of legal maneuvers Mr. Powell would take to avoid paying the judgment, using what appears to be an unlimited source of lawyers.

At least 14 lawyers have represented Mr. Powell in the six and a half years the case has been in litigation.

One state judge asked one of the lawyers in open court: "Are you fellows getting paid?"

And while the lawyer answered yes, observers pointed out that their bill for legal services would presumably be several times the amount Mr. Powell owes Mrs. James.

All but two of Mr. Powell's lawyers have been Negroes.

Lawyer Is Tenacious

On Mr. Powell's part, some of his lawyers have indicated that they did not anticipate Mr. Rubin's tenacity in pursuing the case, which has cost him thousands of hours in court and in preparing legal papers.

In addition, Mr. Rubin has said that he has spent more than $30,000 out of his own pocket on expenses, including the cost of having briefs printed, buying stenographic transcripts, investigative expenses and filing fees.

Following the jury verdict on April 8, 1963, which found Mr. [illegible] guilty of defamation, he [illegible] final step of appealing the $211,500 verdict to the Appellate Division.

In a 5-0 ruling, the Appellate Court upheld the jury's finding that Mr. Powell had "maliciously" slandered Mrs. James but ruled that the size of the judgment was excessive. It was cut to $46,500.

In an attempt to cut the judgment further, or kill it altogether, the Representative appealed to the Court of Appeals in Albany, the state's highest court.

Court Refuses Review

All seven judges of the Court of Appeals affirmed both the defamation finding and the $46,500 figure set by the Appellate Division.

The United States Supreme Court then refused Mr. Powell's request to have the case reviewed, making the $46,500 judgment irrevocable.

But while the suit was going up the appeals ladder, Mrs. James filed a suit in Criminal Court against Mr. Powell charging that he had transferred ownership of his vacation home in Puerto Rico to his wife's relatives to avoid having it seized to pay off the defamation judgment.

It is a misdemeanor, punishable by a maximum jail sentence of a year, for a debtor to transfer or conceal assets in order to prevent them from being attached to pay a debt.

Mrs. James also filed a parallel civil suit in State Supreme Court seeking additional money damages from Mr. Powell for the alleged illegal transfer.

And she also asked a court in Puerto Rico to investigate the alleged transfer. In still another suit, Mrs. James claimed that the Representative had transferred other property he owned in Westchester in an attempt to hide his assets. The Westchester suit is, through a complex series of legal moves, in a state of legal limbo, somewhat dependent on other court determinations.

On Jan. 22, 1965, a Manhattan grand jury began an investigation in the criminal charges brought here.

At this point, the litigation began to assume its convoluted nature with motions, cross motions, and additional appeals, which are still pending in several courts.

While the alleged illegal transfer charge was being decided, Mr. Rubin began serving Mr. Powell with subpoenas in an attempt to force him to pay the $46,500 judgment or to submit to a financial examination as to his ability to pay any part of it.

The courts do not punish a debtor solely for not paying. But if an individual claims he does not have the money, he [illegible] submit to [illegible] examination at which time the courts determine what part of the debt can be paid and how.

Mr. Powell would neither pay nor submit to an examination.

Contempt Is Charged

The extent to which Mr. Powell pursued every legal avenue open to him in the litigation may be indicated by his reaction to subpoenas ordering him to go into court.

The subpoenas — at least seven—directed Mr. Powell to appear on specified dates in court here. He did not appear nor would his lawyers. Mr. Rubin then made a new motion calling on Mr. Powell to defend himself against a charge that he be held in contempt of court.

Henry R. Williams, who now represents the Representative, attended these hearings and claimed that Mr. Powell had not received the subpoenas or that they had technical defects and were therefore invalid.

The legality of the service of the subpoenas was then argued and twice special referees were appointed to consider the matter.

Both referees found that Mr. Powell had received proper notification of the orders directing him to appear. These findings were accepted by the state judges.

But these rulings were also appealed to higher courts and took months to resolve. And stemming from the hearings conducted by the referee were still other hearings relating to witnesses produced by Mr. Powell. Mr. Rubin demanded, and received the right, to examine these witnesses in so far as any knowledge they might have had of Mr. Powell's assets. These last hearings ended on an inclusive note.

Guilty of Civil Contempt

After several other legal moves, Mr. Powell was found guilty of civil contempt of court on May 8, 1964, by State Supreme Court Justice Thomas C. Chimera.

This ruling ordered the imprisonment of Mr. Powell for a maximum period of six months or until he paid the judgment.

But the arrest order and two others for civil contempt did not bother Mr. Powell, since they could not be executed as long as Congress was in session or on any Sunday, when no arrests are made here in civil cases.

The Constitution prohibits the arrest of any Congressman in a civil dispute while Congress is in session.

While these actions were going on, scores of other legal moves were being made in other courts by both Mr. Powell and Mrs. James. He filed motions in state appeals courts trying to enjoin lower court judges from acting. He also tried to get the Federal courts to take the [illegible]ed.

And Mrs. James also went to the Federal Court here in an unsuccessful attempt to have Mr. Powell ousted as a Representative on the ground that he was not a bona fide inhabitant of New York. And 22 of Mr. Powell's constituents have gone into the same court in an attempt to nullify an arrest order outstanding against Mr. Powell. They argue that the arrest order that keeps Mr. Powell out of the state also denies them their fundamental right of access to their Congressman. This suit is pending.

In the meantime, the grand jury, after more than a year and a half of intermittent investigation, has found that no crime was committed by Mr. Powell in concealing his assets.

However, this did not quash the civil action claiming additional damages for Mrs. James in the State Supreme Court.

A trial date was set on this issue, but Mr. Powell did not show up, and a jury increased the $46,500 judgment to $578,000, which was cut on appeal to $155,785. The amount is presently being considered by the Court of Appeals. It now stands at more than $164,000 because of interest charges.

Mr. Rubin's next move was to seek to have Mr. Powell held in criminal contempt of court. The previous subpoenas that Mr. Powell had failed to answer were issued by Mr. Rubin, not the court. And although they are technically called court mandates, failure to respect them involves an injury only to the person who issued them.

As the case spread out both court after court in 1963 and 1964, Mrs. James, a heavy-set woman who was 70 years old on Chirstmas, became a virtual recluse in her Harlem apartment.

It became a ritual for her to change the locks on her door and add new ones—there are now about five of them. Her telephone was unlisted, and even then, the only way her lawyer could contact her was to call, let the telephone ring twice, hang up and then call again as a signal to her that it was he.

On one of the few days she left her apartment, on Oct. 28, 1964, she was what the police said later a key witness when a hoodlum walked up behind a small-time gambler and fired a bullet into the back of his head.

The killing occurred about three doors from Mrs. James's apartment. The police have declined to say whether Mrs. James knew the victim, who used three names — Arthur Powell, Arthur Kelly and Arthur Powers.

About six months ago, Mrs. James left her Harlem apartment and returned to her birthplace in Montego Bay, Jamaica. Her husband, a Pullman porter, died in 1952, and her four children are all married.

0-20 (Rev. 1-26-66)

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UPI-123
(RELEASE AT 6:30 PM, EST)
(POWELL)
WASHINGTON--"SHAPE UP, BABY," A FELLOW CONGRESSMAN FROM NEW YORK ADMONISHED REP. ADAM CLAYTON POWELL TODAY.

DEMOCRAT SAMUEL S. STRATTON, IN HIS WEEKLY REPORT TO CONSTITUENTS, SAID IT WAS NOT LIKELY THE NINE-MEMBER PANEL WHICH WILL INVESTIGATE WHETHER POWELL IS QUALIFIED TO TAKE HIS SEAT WILL COME UP WITH NEW OR DIFFERENT FACTS.

"BUT ONE THING MIGHT STILL CHANGE THE STORY," STRATTON SAID.

"IF ADAM CLAYTON POWELL WERE TO GO BACK TO NEW YORK AND PURGE HIMSELF OF CONTEMPT OF COURT, HE MIGHT JUST END UP SITTING IN THE NEW 90TH CONGRESS.

"ONLY ADAM CLAYTON POWELL COULD MAKE THAT DECISION. HE HAS JUST FIVE WEEKS LEFT TO MAKE IT."

POWELL WAS DENIED HIS SEAT PENDING A FIVE-WEEK INVESTIGATION OF HIS REFUSAL TO COMPLY WITH NEW YORK STATE COURT ORDERS TO PAY A $164,000 SLANDER JUDGMENT AND IRREGULARITIES IN HIS USE OF HOUSE COMMITTEE FUNDS FOR TRAVEL.

STRATTON SAID THE HOUSE VOTE AGAINST POWELL WAS A REVOLT "ONCE MORE AGAINST A LEADERSHIP WHICH HAD COMPLETELY FAILED TO SENSE THE VEHEMENCE OF PUBLIC SENTIMENT AGAINST POWELL."

ACCORDING TO STRATTON, TOPIC A IN MANY A CONGRESSMAN'S DISTRICT "WAS NO LONGER VIET NAM OR THE CHANCES OF A TAX INCREASE, BUT 'WHAT ARE YOU FELLOWS GOING TO DO ABOUT POWELL?'"

"THE ISSUE WAS FAR MORE THAN THE FATE OF ONE MAN," HE SAID. "IT WENT TO THE INTEGRITY OF CONGRESS ITSELF, AND PUBLIC CONFIDENCE IN-WHAT SHOULD BE THE WORLD'S GREATEST DELIBERATIVE BODY NOT JUST A SOCIAL CLUB."

1/16--TS246PES

100-512 30-A
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46 JAN 27 1967

WASHINGTON CAPITAL NEWS SERVICE

0-19 (Rev. 12-9-66)

JAMES J. KILPATRICK

A Vast Amount of Guff Heard in Powell Case

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In the week that has passed since Adam Clayton Powell was denied [redacted] House, a vast amount of guff has been heard from Powell himself and from some of his more hysterical followers. Powell compared his treatment to the crucifixion of Christ. Floyd McKissick of CORE said the House had mortally affronted 15 million Negro Americans. Jesse Gray, of Harlem rent-strike fame, has denounced "a conspiracy of white power."

The charges are bosh. The truth is that Powell has been accorded every conceivable consideration by a long-suffering and excessively tolerant House. If a double standard has been applied in any way, it has been the double standard that grants special privileges to Negroes because they are Negroes.

On the very day of this Lucifer's fall, Capitol police deliberately condoned violation of Public Law 570 of the 79th Congress. This act flatly forbids assemblages or demonstrations of any sort on Capitol grounds, but hundreds of Powell's fanatic followers were permitted to swarm on the steps of the House itself.

Neither has any double standard been applied to the Harlem divine, except in reverse, in the disciplinary actions finally taken against him. In times past, various white members have been stripped of chairmanships or seniority on political grounds. Two Wisconsin Republicans, John M. Nelson and Florian Lampert, lost their chairmanships in 1925 for deserting their party in the Coolidge-Davis election of 1924. Mississippi's John Bell Williams two years ago was banished to the very bottom of the Interstate and Foreign Commerce Committee for supporting Goldwater in 1964—though he violated no rule of his State Democratic Party. Yet Powell, who openly supported Eisenhower in 1956, remained blissfully immune from his colleagues' discipline. Double standard? What double standard?

But it is urged by Powell's followers that their idol now is being punished, because of his race, for abuses and excesses that are no worse than the offenses imputed to other members of the House. Their clamorous plea of avoidance and abatement is that "everyone else has done the same things." So why pick on Adam?

The plea is baseless. One of the charges against Powell was that on Aug. 1, 1966, he hired one Sylvia Givens as a "clerk" for the House Education and Labor Committee; that she was paid at the rate of $280.95 a month in public funds; that on Aug. 7, she was flown to Bimini with Powell and his friend Corinne Huff; that her transportation was charged to a government air travel card; that Sylvia Givens was in fact employed as a domestic servant, and performed only household work in the Powell cottage; that during her two weeks in Bimini she performed no services of any kind for the committee. The charge against Powell in the matter of Sylvia Givens, in short, is a charge of fraud. Is it contended that other members of the House have done the same thing? Which other members?

Another charge against Powell is that on March 28, 1965, he used a government air travel card for the purchase of three airline tickets from Washington to New York; that he directed the chief clerk of his committee fraudulently to obtain these tickets in the names of three staff members; that the tickets actually were used by his friends Pearl Swagin and Jack Duncan, and by his 20-year-old son Adam Clayton Powell III, none of whom is employed by the government; and that $54 in

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The Washington Post
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The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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public funds thus were converted to private use. Do Powell's defenders contend that "everybody" does this? Who? Where? When?

Speaking in his own defense before the House on Tuesday, Powell complained piteously that he had "never had my day in court." He had received no "bill of particulars." A ripple of amusement ran about the floor. At least a dozen judges in New York have been struggling to get Powell into court; he is allergic to their summons. The Hays subcommittee, charged with investigating the allegations of payroll and travel abuse, invited Powell to testify in his own behalf. He sent a contemptuous letter, and stayed in Bimini instead.

What remains? It is said that the House action, in requiring Powell to stand aside for five weeks, unfairly deprives the Negro people of New York's 18th District of representation. But the House historically has insisted upon exercising its constitutional power to delay the seating of members-elect upon responsible challenge to their elections or qualifications. There is nothing unusual or unprecedented here. And it might be added, in passing, that Powell was present for only half of the roll-call votes in the House last year.

In times past, Negro spokesmen have cried at the top of their lungs for "equal treatment under law," and for publications that are "color-blind." In the suspension of Adam Clayton Powell, they are getting precisely what they have asked for. And Powell is getting it too.

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. DeLoach
1 - Mr. J.P. Mohr
1 - Mr. Wick
DATE: 1-18-67
1 - [redacted]
1 - [redacted]
1 - Mr. W.C. Sullivan

TO : Mr. C. D. DeLoach

FROM : W. C. Sullivan

SUBJECT: NATIONAL COUNCIL OF THE CHURCHES OF CHRIST INFORMATION CONCERNING

[redacted] Mohr JP

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Some press accounts have indicated that the National Council of the Churches of Christ is supporting the position of Adam Clayton Powell. This, were it true, would be highly disturbing.

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RECOMMENDATION:

For your information.

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ORIGINAL FILED IN 100-51830-1512

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ZUBER 1/19 NX
1ST NIGHT LD AND CORRECT 275A
NEW YORK (UPI)--PAUL B. ZUBER, A NEGRO ATTORNEY ACTIVE IN CIVIL RIGHTS CAUSES, SAID THURSDAY HE HAS AFFIDAVITS SUPPORTING REP. ADAM CLAYTON POWELL'S CHARGES AGAINST MRS. ESTHER JAMES.
POWELL WAS FOUND GUILTY OF DEFAMING MRS. JAMES BY CALLING HER A "POLICE BAG WOMAN" ON A 1961 TELECAST. HIS CURRENT TROUBLES STEM FROM HIS REFUSAL TO PAY $164,000 DAMAGES TO HER. ZUBER SAID HE BECAME ACTIVE IN THE CASE AT THE REQUEST OF POWELL'S SON.
ZUBER ALSO SAID HE HAD ASKED DIST. ATTY. FRANK S. HOGAN TO BRING MRS. JAMES TO NEW YORK FOR INVESTIGATION. MRS. JAMES FLED REPORTEDLY TO THE VIRGIN ISLANDS SEVERAL MONTHS AGO BECAUSE OF ALLEGED THREATS AGAINST HER LIFE.
THE ATTORNEY SAID HE HAD SUBMITTED AN AFFIDAVIT ON MRS. JAMES TO THE JUSTICE DEPARTMENT AND HAD SEVERAL MORE FOR HOGAN IF THE DISTRICT ATTORNEY BRINGS MRS. JAMES TO NEW YORK.
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JAN 30 1967

WASHINGTON CAPITAL NEWS SERVICE

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UPI-94
ADD 2 POWELL, WASHINGTON
ALL OF THE MEN SELECTED ARE ATTORNEYS. ALL EXCEPT PEPPER, TEAGUE AND THOMSON ARE MEMBERS OF THE JUDICIARY COMMITTEE.
THE FIVE DEMOCRATS ALL VOTED FOR THE LAST CIVIL RIGHTS BILL CONSIDERED BY THE HOUSE, A MEASURE WHICH WAS PASSED ON OCT. 8, 1966 BUT WHICH DIED IN THE SENATE. TWO OF THE REPUBLICANS, MACGREGOR AND THOMSON VOTED FOR IT WHILE THE OTHER TWO, MOORE AND TEAGUE VOTED AGAINST IT.
CONYERS SAID THROUGH A STATEMENT ISSUED BY HIS OFFICE HE WAS CONFIDENT THAT THE COMMITTEE'S INVESTIGATION WOULD BE THOROUGH AND CAREFUL.
"THIS MATTER AFFECTS THE CONSTITUTIONAL RIGHTS OF BOTH MR. POWELL AND HIS CONSTITUENTS AND ALSO THE CONSTITUTIONAL RIGHTS AND RESPONSIBILITIES OF EACH MEMBER OF CONGRESS," CONYERS SAID.
1/19--E1255PES

Adam Clayton Powell

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46 JAN 27 1967

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WASHINGTON CAPITAL NEWS SERVICE

6-20 (Rev. 1-28-66)

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UPI-100

ADD 3 POWELL, WASHINGTON

THE INVESTIGATION AND THE HEARINGS CONDUCTED IN CONNECTION WITH IT ARE EXPECTED TO BE QUIET AND UNSPECTACULAR. HOUSE RULES FORBID BROADCASTING OR TELECASTING OF COMMITTEE SESSIONS. THEY ALSO MAY BE CLOSED TO THE PUBLIC.

POWELL WILL PROBABLY BE INVITED TO TESTIFY. HE HAS SAID HE WILL COOPERATE WITH THE PANEL. AT THE MOMENT, POWELL IS IN A STATE OF LIMBO. THE RESOLUTION THAT DEPRIVED HIM OF HIS SEAT STIPULATED THAT HE WOULD BE ENTITLED TO HIS $30,000-A-YEAR SALARY, HIS OFFICE AND HIS PERSONAL STAFF DURING THE PERIOD OF THE INVESTIGATION. HE CANNOT, HOWEVER, VOTE ON LEGISLATION.

MUCH OF THE COMMITTEE'S TIME WILL BE SPENT REVIEWING THE TANGLED LEGAL STRINGS THAT ENTWINE POWELL. HE HAS BEEN PLAGUED BY A LIBEL SUIT SINCE MARCH OF 1960 WHEN HE APPEARED ON A TELEVISION PROGRAM AND CALLED MRS. ESTHER JAMES, A HARLEM WIDOW, A "BAG WOMAN" OR GRAFT COLLECTOR FOR CROOKED POLICEMEN.

1/19--E118PES

WASHINGTON CAPITAL NEWS SERVICE

0-20 (Rev. 1-25-60)

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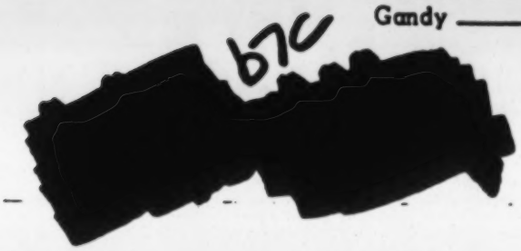

UPI-52
(POWELL)

WASHINGTON--REP. EMANUEL CELLER, SENIOR MEMBER OF THE HOUSE, AND EIGHT OTHER REPRESENTATIVES WERE TAPPED TODAY TO SIT IN JUDGMENT OF ADAM CLAYTON POWELL AND RECOMMEND WHETHER THE NEGRO POLITICIAN SHOULD SERVE IN THE 90TH CONGRESS.

THE HOUSE BARRED POWELL FROM TAKING HIS SEAT ON JAN. 10 AFTER COLLEAGUES CHARGED HIM WITH DEFYING NEW YORK COURTS AND ABUSING THE CHAIRMANSHIP OF THE EDUCATION AND LABOR COMMITTEE.

SPEAKER MCCORMACK ANNOUNCED THE NAMES OF THE FIVE DEMOCRATS AND FOUR REPUBLICANS WHO WILL SPEND THE NEXT FIVE WEEKS EXAMINING THE HARLEM DEMOCRAT'S "RIGHT" TO SIT IN THE HOUSE AS REPRESENTATIVE FROM NEW YORK'S 18TH DISTRICT.

DESIGNATED AS CHAIRMAN OF THE SELECT COMMITTEE WAS CELLER, A 78-YEAR-OLD BROOKLYN DEMOCRAT WHOSE 44 YEARS OF SERVICE HAS EARNED HIM THE TITLE OF "DEAN" OF THE HOUSE. CELLER IS ALSO CHAIRMAN OF THE JUDICIARY COMMITTEE.

ONE NEGRO WAS APPOINTED TO THE PANEL. HE IS REP. JOHN CONYERS JR., D-MICH., A 37-YEAR-OLD LAWYER WHO IS STARTING HIS SECOND TERM IN CONGRESS.

OTHER DEMOCRATS NAMED INCLUDED REPS. JAMES CORMAN OF CALIFORNIA, CLAUDE PEPPER, OF FLORIDA, AND ANDREW JACOBS JR. OF INDIANA.

HOUSE GOP LEADER GERALD FORD SELECTED AS REPUBLICAN MEMBERS REPS. ARCH MOORE OF WEST VIRGINIA, CHARLES TEAGUE OF CALIFORNIA, CLARK MACGREGOR OF MINNESOTA AND VERNON THOMSON OF WISCONSIN.

1/19--E122SPES

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-85

ADD 1 POWELL, WASHN (UPI-82)

MCCORMACK, WHO CHOSE THE DEMOCRATIC APPOINTEES, READ THE ENTIRE LIST SHORTLY AFTER THE HOUSE CONVENED AT NOON. IMMEDIATELY BEFORE HE DID SO, FORD HANDED HIM A SCRAP OF PAPER CARRYING THE FOUR REPUBLICAN NAMES.

UNDER THE REPUBLICAN RESOLUTION THE HOUSE ADOPTED ON JAN. 10, THE COMMITTEE WILL STUDY "THE QUESTION OF THE RIGHT" OF POWELL TO TAKE HIS OATH OF OFFICE "AS WELL AS HIS FINAL RIGHT TO A SEAT" IN THE HOUSE.

NO CHARGES ARE SPELLED OUT AND ONE OF THE COMMITTEE'S FIRST TASKS WILL BE TO DECIDE ITS SCOPE OF INQUIRY. THE PANEL HAS THE POWER TO SUBPOENA WITNESSES AND DOCUMENTS.

THE RESOLUTION ALSO SPECIFIES THAT THE COMMITTEE REPORT BACK ITS FINDINGS AND ANY "RECOMMENDATIONS IT DEEMS ADVISABLE" WITHIN FIVE WEEKS AFTER ITS MEMBERS ARE APPOINTED.

1/19--E1231PES

WASHINGTON CAPITAL NEWS SERVICE

0-19 (Rev. 12-9-66)

Celler Seen As Powell Probe Head

By Richard L. Lyons
Washington Post Staff Writer

Rep. Emanuel Celler (D-N.Y.), dean of the House and its Judiciary Committee Chairman, is expected to head the special committee that will investigate Adam Clayton Powell's fitness to be a member of the House.

Though they have served together from New York City for 22 years, there has been no closeness between Powell and Celler. Recently, Celler called Powell "as irritating as a hangnail." But he also argued that Powell should be seated pending the investigation of his alleged misuse of committee funds and his New York court troubles.

Supreme Court Justice John M. Harlan yesterday turned down without comment a request that he block a New York court order that Powell be jailed if he returns to New York. Powell has been sentenced to 30 days in jail for criminal contempt stemming from his failure to pay a slander judgment.

Unit in Disagreement

Indications were that Speaker John W. McCormack will select all five Democrats for the investigation panel from the Judiciary Committee. Republicans must appoint four members.

Meanwhile, the House Democratic Committee on Committees was unable to agree on what to do about committee seniority for Powell and Rep. John Bell Williams (D-Miss.), who was pushed to the bottom of the Commerce Committee two years ago for bolting the Party ticket in 1964.

Williams wants to be restored to the second ranking spot on the Committee on Public Works in hopes of becoming a subcommittee chairman. As for Powell, the Party caucus action stripping him of the chairmanship of the Education and Labor Committee did not settle the question whether he should become No. 2 or last — if he is let back into the House at all.

[United Press International said the Committee on Committees decided to save a spot for Powell on the Education and Labor Committee, but left it up to a new caucus of the Democrats to decide whether he should get the second or least position. The Associated Press said the Williams case also was bounced back to the caucus.]

Liberals Take Control

Liberals took control of the House Rules Committee yesterday with the formal election of Reps. Spark M. Matsunaga (D-Hawaii) and William R. Anderson (D-Tenn.) to fill vacancies.

But liberals appeared to have lost another fight when freshman Rep. David Pryor (D-Ark.) was named to fill the vacancy of the Appropriations Committee caused by the death of Rep. John E. Fogarty (D-R.I.).

Pryor, sponsored by Rep. Wilbur D. Mills (D-Ark.), Chairman of the Committee on Committees, is described as a moderate in Arkansas but probably right of center in the national Party. Rep. Fernand J. St. Germaine (D-R.I.) reportedly wanted the seat.

Control of the Appropriations Committee, where most of this year's battles will be fought, had already shifted to narrow conservative control as the result of a change in its party makeup to reflect Republican gains.

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Adam Clayton Powell

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Times Herald A4
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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WITH POWELL
NEW YORK (UPI)--PAUL B. ZUBER, A NEGRO ATTORNEY ACTIVE IN CIVIL RIGHTS CAUSES, SAID THURSDAY HE HAS AFFIDAVITS SUPPORTING REP. ADAM CLAYTON POWELL'S CHARGE THAT MRS. ESTHER JAMES WAS A POLICE GRAFT COLLECTOR.
POWELL WAS FOUND GUILTY OF DEFAMING MRS. JAMES BY CALLING HER A "POLICE BAG WOMAN" ON A 1961 TELECAST AND HIS CURRENT TROUBLES STEM FROM HIS REFUSAL TO PAY $164,000 DAMAGES TO HER. ZUBER SAID HE HAD BEEN STUDYING THE 70AYEAR-OLD HARLEM WOMAN'S ACTIVITIES SINCE DECEMBER AT THE REQUEST OF THE DEMOCRATIC CONGRESSMAN'S SON.
ZUBER SAID HE HAD ENOUGH ON MRS. JAMES TO PULL HER "DOWN FROM HER PEDESTAL." HE SAID HE HAS ASKED DIST ATTY. FRANK S. HOGAN TO BRING MRS. JAMES TO NEW YORK FOR INVESTIGATION OF ALLEGED ACTIVITIES AS AN EXTORTIONIST. MRS. JAMES FLED, PROBABLY TO THE VIRGIN ISLANDS, SEVERAL MONTHS AGO BECAUSE OF THREATS AGAINST HER LIFE.
ZUBER SAID HOGAN SHOULD ALSO INVESTIGATE MRS. JAMES IN CONNECTION WITH THE MURDER OF A HARLEM MAN, ARTHUR POWELL, WHO ALLEGEDLY TALKED WITH THE WOMAN AND THREATENED TO EXPOSE HER ACTIVITIES A FEW DAYS BEFORE HE WAS SHOT.
ZUBER CHARGED THAT MRS. JAMES PLAYED A GAME OF "DROP THE BUNDLE"-- INFORMING THE POLICE OF A POLICY GAMBLER AND THEN INSURING HIS ARREST BY DROPPING A PACKET OF POLICY SLIPS NEAR HIS HOME SHORTLY BEFORE POLICE MOVED IN TO MAKE AN ARREST. HE SAID HER ACTIVITIES WERE "COMMON KNOWLEDGE ON THE STREETS OF HARLEM."
THE ATTORNEY SAID HE BELIEVES POWELL'S TROUBLES WILL "DROP AWAY LIKE ARTICHOKE LEAVES" ONCE MRS. JAMES IS PROSECUTED. HE SAID HE HAD SUBMITTED AN AFFIDAVIT ON MRS. JAMES TO THE JUSTICE DEPARTMENT AND HAD THREE MORE FOR HOGAN IF THE DISTRICT ATTORNEY BRINGS MRS. JAMES TO NEW YORK.
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67 JAN 30 1967 WASHINGTON CAPITAL NEWS SERVICE

0-16 (Rev. 5-4-66)

Randolph Calls Negro CONFERENCE

Wash. D.C.

Wash. D.C.

By M. S. HANDLER

A conference of Negro leaders in all fields will be held in Washington next Wednesday to discuss ways to restore Representative Adam Clayton Powell to his seat to his chairmanship of the powerful House Labor and Education Committee. The leaders will also re-examine Negro-white relations.

A. Philip Randolph, a key civil rights leader who has initiated the meeting, has described it as a "summit conference" to take up what he calls a "crisis" in Negro-white relations.

A proposal that the conference blacklist Representative Emanuel Celler of the 10th District, among other Congressmen who opposed or failed to help Mr. Powell, was abandoned because most of the civil rights leaders felt that Mr. Celler was one of thhe foremost advocates of civil rights in Congress.

Last night, Mr. Randolph sent telegrams to about 100 Negro leaders of civil rights organizations, church denominations and labor unions, and also to Negro educators, professional men and women, prominent artists and entertainers.

The conference is to be held in the Church of the Redeemer, Presbyterian, at 15th and Girard Streets. The sessions will be all-Negro and closed to the public and observers.

In his telegram, Mr. Randolph, who is president of the Bortherhood of Sleeping Car Porters, said that the first purpose of the conference was to evaluate the developments of Mr. Powell's Congressional chairmanship and seatless and that the second purpose was to evaluate the situation and the meaning of the action against Mr. Powell to 22 million Negroes.

Mr. Randolph sent the telegrams after consulting with Roy Wilkins of the National Association for the Advancement of Colored People, Whitney M. Young Jr. of the National Urban League, Floyd McKissick of the Congress of Racial Equality, and Dorothy I. Height of the National Council of Negro Women.

Those who were sent telegrams included Dr. Martin Luther King Jr., Sammy Davis, Harry Belafonte, Lena Horne, Mahalia Jackson, Willie Mays, Jackie Robinson, Louis Armstrong, and Dr. Ralph Bunche.

Attendance to Be Limited

Mr. Randolph wants to limit the attendance to organizational heads and ntionally known persons.

According to an informed source, he has found that Mr. Powell's loss of his committee chairmanship and temporary loss of his seat has resulted in a deepening crisis in Negro-white relations. This, according to the consensus, requires a serious examination of the future status of Negroes in the United States.

According to this source Mr. Randolph felt that "we can learn one thing from the Powell affair—we must become politically more active in both parties and in the decision-making process."

Mr. Randolph, it is understood, will urge that the Washington conference examine and study the records of all Congressmen in the field of civil rights and specifically in relation to bills submitted to Congress to improve the condition of the Negroes.

It was learned, however, that all thought of including Representative Emanuel Celler of New York, who was named yesterday as head of the House Committee that will investigate Mr. Powell, among the Congressmen Negro voters will be asked to defeat because of their "hostile" or "ambivalent" attitude toward Mr. Powell, has now been abandoned by the organizers of the meeting. In a statement to The New York Times, Ms. Randolph said:

"There are no plans and I know of no plans to wage warfare against Congressman Celler. I regard Mr. Celler as a consistent and devoted advocate of civil rights in Congress for years. I consider him one of stanchest champions of civil rights in Congress."

Last week, when he announced the projected conference, Mr. Randolph let it be known that Representative Celler would be among a list of congressmen designated for defeat by the Negro voters in the northern urban industrial centers where there are substantial Negro populations. It was felt that Mr. Celler had not done enough to prevent Mr. Powell's defeat.

The decision to exclude Mr. Celler from the target list came during Mr. Randolph's consultations, which disclosed that most civil rights leaders and organizations hold Mr. Celler in high esteem.

Mr. Randolph announced that he has appointed Theodore E. Brown, a close associate, to coordinate the Washington conference. Mr. Brown is director of the American Negro Leadership Conference On Africa.

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The Washington Daily News
The Washington Evening Star
New York Daily News
New York Herald Tribune
New York Post
The New York Times 1 Pg. 23
New York World Journal
New York World Journal Tribune
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The New Leader
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The National Observer
People's World

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0-19 (Rev. 12-9-66)

CELLER TO HEAD POWELL INQUIRY

Brooklyn Democrat Will Be Named Today With Nine Members of Committee

By JOSEPH A. LOFTUS

Special to The New York Times

WASHINGTON, Jan. 18—Representative Emanuel Celler, Democrat of Brooklyn, will head the special committee that will investigate Representative Adam Clayton Powell.

Because Mr. Celler is chairman of the Judiciary Committee, his selection suggested that House Speaker John W. McCormack would draw all five Democrats for the special committee from Judiciary, as suggested by Representative Wayne L. Hays, Democrat of Ohio.

Mr. Celler, whose 23 consecutive terms make him the senior House member, would not confirm his appointment but said that "as a good soldier I am willing to take over the task." In the event he was assigned, he said, he would be "entitled to commiserations, not congratulations."

Speaker McCormack is expected to announce the nine members tomorrow. The committee will have five weeks to report on the qualifications of Representative Powell, who was temporarily barred from his seat on Jan. 10.

The ranking Republican on Judiciary is William M. McCulloch of Ohio. Party leaders have been trying to persuade him to take the assignment.

Political Problems Noted

Both sides are looking for members who have not been embroiled in the Powell controversy and who have no political circumstances in their districts that would inhibit them from serving objectively on the committee.

Representative Celler's district takes in an area that includes some Brooklyn slums, Canarsie and the Rockaways in Queens. The district's [illegible] residents are about 40 per cent Jewish and 20 per cent Negro. Many of the others are of Italian, Irish or Puerto Rican extraction.

Mr. Powell, who is under a criminal contempt of court citation in New York City, as well as under three civil citations, lost a move in the Supreme Court today to block a New York judge's order for his arrest if he enters the city.

Justice John M. Harlan rejected the petition without comment. He also refused to block enforcement of a $164,000 damage award to Mrs. Esther James, the Harlem woman that Mr. Powell was convicted of defaming. He hadd been charged with called her a "bag woman," a go-between for the police and gamblers, on a television program.

Mr. Powell had contended in his petition that the arrest order, issued Nov. 28 by State Supreme Court Justice Arthur Markewich, was "repugnant to the Constitution" because it would keep him from attending sessions of the House. Actually, Mr. Powell has been barred by the House from attending session, but there is no indication that Justice Harlan relied on that point in rejecting the petition.

The committee on committees, meantime, inconclusively debated the question of Mr. Powell's committee rights, then decided to refer the issue to the Democratic caucus, which voted to give his chairmanship of education and labor to Carl D. Perkins of Kentucky. But it did not determine whether to slot the New Yorker just below Mr. Perkins, at the bottom of the list, or at all. No date has been set for another Democratic caucus.

Suits Seek to Aid Powell

Federal Judge David N. Edelstein reserved decision yesterday on an attempt by a Harlem group for a full hearing on its suit to enjoin the Government from taxing Harlem residents as long as Representative Adam Clayton Powell remains unseated.

Later in the day, 92 of Mr. Powell's constitutents filed another suit with Judge Edelstein in an attempt to have a hearing to enjoin the Sheriff of New York county from arresting Mr. Powell if he comes here. Decision was also reserved on this suit.

The suit by the 92 constituents, headed by A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, challenged an all inclusive arrest order in State Supreme Court calling for the arrest of Mr. Powell for his defiance of the state court in a $164,000 defamation case.

The first suit brought by the constituents was thrown out Jan. 9 because of technical defects in legal papers. The suit filed yesterday sought to correct those errors.

Preliminary argument in the taxation suit was made by the Rev. A. Kendall Smith, chairman of the Harlem Citizens for Community Action. He claimed that President Johnson and the Congress should be enjoined from taxing citizens in Mr. Powell's district as long as the representative was denied his Congressional seat.

The group based much of its case on the theory of "taxation without representation."

In reply, Assistant United States Attorney Arthur S. Olick said that the suit had technical faults and that in any case the court lacked jurisdiction over the President and that the "separation of powers embodied in our Constitution" prohibits Federal courts from issuing injunctions against the President or Congress.

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DATED 1-19-67
Wash. Post - Times Herald
FILE AND INITIATE

Adam Clayton Powell

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date

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The New York Times Studio

DENIES PLEA: Supreme Court Justice John M. Harlan refused to upset New York judge's decision in the case of Adam Clayton Powell.

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Adam Clayton Powell

UPI-78

ADD 1 POWELL, WASHINGTON (UPI-13)

(IN NEW YORK, IT WAS REPORTED THAT REPRESENTATIVES OF THE WIDOW, MRS. ESTHER JAMES, ARE ACTING TO MAKE SURE THAT POWELL'S RECORD ROYALTIES GO TOWARD PAYING OFF THE JUDGEMENT.

(RAYMOND RUBIN, MRS. JAMES' ATTORNEY, SAID HE HAS OBTAINED A RESTRAINING ORDER WHICH WOULD PREVENT POWELL FROM "RECEIVING ROYALTIES OR ADVANCES UNTIL A COURT HEARING IS HELD." RUBIN HOPES FOR A HEARING JAN. 31.

(RECORDING INDUSTRY SOURCES SAID, HOWEVER, THAT POWELL PROBABLY HAS ALREADY BEEN PAID AN ADVANCE AGAINST ROYALTIES IN KEEPING WITH INDUSTRY PRACTICE. THEY SAID IT ISUNLIKELY THAT THE CONGRESSMAN WILL RECEIVE ANY MORE MONEY "FOR SIX MONTHS OR POSSIBLY LONGER."

(RUBIN REPRESENTED MRS. JAMES IN HER DEFAMATION SUIT AGAINST POWELL.)

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WASHINGTON CAPITAL NEWS SERVICE

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Powell Cuts Disc to Pay Bill

'Swinging Album' Follows Venture By Sen. Dirksen

By Richard L. Lyons
Washington Post Staff Writer

Adam Clayton Powell has cut a long-playing record titled "Keep the Faith, Baby" which he hopes will pay off a New York court judgment and thus help regain his House seat.

Meanwhile, a nine-member House committee headed by Rep. Emanuel Celler (D-N.Y.) was appointed yesterday to investigate the Harlem Democrat's fitness to serve. It looked like a group that might recommend Powell be seated if he behaves and makes a major effort to pay off the $164,000 slander judgement.

It was Powell's criminal contempt conviction stemming from his failure to pay the judgment plus his alleged use of public funds for private travel that led the House to refuse to seat him last week.

Powell's office announced that last week he had cut a "swinging album" from which all proceeds will be used to satisfy "any and all court judgments" against him.

The record consists of excerpts from his sermons at Harlem's Abyssinian Baptist Church, his views on politics, race relations and the House action refusing to seat him.

Jubilee Records of New York, which will produce the album for release next week, issued a few tidbits that may give the flavor of the product.

In one selection Powell reportedly advises Negroes that instead of crying "Burn, baby, burn," they should "learn, baby, learn as you can earn, baby, earn, because that's all the white man respects. It's your dollar and your vote that counts; it's not black power, it's green power."

At another point he reportedly tells Negroes that "Uncle Tom" [illegible]

Jesse Dirksen

Powell will join Senate Minority Leader Everett M. Dirksen (R-Ill.) as a hit parade contender. Powell reportedly will receive 33 cents per record. If he does near as well as Dirksen, whose "Gallant Men" reportedly has sold 780,000 copies, Powell will be well on his way out of his financial troubles.

Celler's committee consists of four other Democrats — James C. Corman (Calif.), Claude Pepper (Fla.), John Conyers Jr. (Mich.), Andrew Jacobs Jr. (Ind.)—and four Republicans—Arch A. Moore Jr. (W.Va.), Charles M. Teague (Calif.), Clark MacGregor (Minn.), Vernon W. Thomson (Wis.).

All members are lawyers, and all except Pepper, Teague and Thomson serve on the Judiciary Committee of which Celler is chairman. Conyers is a Negro from Detroit. Pepper is a liberal Southerner. All members but Moore and League voted for the 1966 civil rights bill calling for open housing bill. The House passed the bill, but it died in the Senate. In the political spectrum, the Democrats are all liberals; the Republicans, generally conservative.

No Love for Powell

Celler has no love for Powell and recently called him "as irritating as a hangnail" But as a pillar of the House Establishment, Celler doubtless hopes an honorable way can be found to avoid the drastic action of kicking Powell out of Congress.

Celler said he will call his committee together Monday to decide the scope of the inquiry and set ground rules. He must report back to the House within five weeks.

Powell's office also announced that a team of eight lawyers prominent in civil rights work will help him make his case before the committee. It includes Robert Carter, general counsel of the NAACP; William M. Kunstler, already representing Powell in one of his New York law suits; and Frank Reeves of [illegible]

Bill [illegible]ed "if wheeling a seat on the House Education and Labor Committee should be reserved for Powell. He has been deposed as chairman. But the House Democratic Committee on Committees is trying to put together a double-barreled deal that would give Powell the No. 2 position and restore Rep. John Bell Williams (D-Miss.) to second spot on the Commerce Committee. Williams lost all his seniority two years ago for bolting the party ticket.

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The Wall Street Journal
The National Observer
People's World
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REP. EMANUEL CELLER

Conyers Corman Jacobs Pepper

MacGregor Teague Moore Thomson

Powell probe chairman and Democrats, top tier, and Republicans who will assist him.

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Wilkins First With Bid To Witness for Powell

By PAUL HEALY

Washington, Jan. 20 (NEWS Bureau)—Roy Wilkins, executive director of the National Association for the Advancement of Colored People, today became the first person to volunteer to testify before the select House committee which will investigate the activities of Adam Clayton Powell.

Powell's Congressional office announced, meanwhile, that the eight civil rights lawyers who will comprise his "blue ribbon" defense advisory committee will hold a press conference here Monday to discuss their strategy.

Roy Wilkins

Chairman Emanuel Celler (D-N.Y.) of the probe committee postponed the group's first meeting from Monday to Tuesday. A spokesman for Celler explained that seven members of the nine-member panel have other meetings out of the city Monday.

The committee, appointed yesterday, consists of five Democrats and four Republicans. It must report back to the House in five weeks a recommendation on whether Powell is fit to be seated in the house.

Busy Week Next Week

Powell plans to hold a press conference next week at a date still to be announced. Also scheduled for next week is a press preview of the Harlem clergyman's long-playing record, cut last week. The record, "Keep the Faith, Baby," is intended to net Powell sufficient royalties to pay off a $164,000 libel judgment in New York.

Wilkins' eagerness to appear at the Powell hearings went to Celler by telegram.

An NAACP spokesman explained that the civil rights organization feels Powell should be seated because his Harlem constituents elected him fairly and with full knowledge of the charges against him.

Bounced from Chair

Powell has been accused of "deceptive practices" as chairman of the House Labor Committee—a post recently taken away from him because of his conduct.

At its first session the Celler panel is expected to discuss appointment of a staff and whether hearings will be open or closed.

The committee of lawyers to defend Powell consists of seven men and one woman, Mrs. Jean Cahn, founder of the Office of Economic Opportunitie's legal services program and former tutor in law of the Yale law school.

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York) 7
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New York Post
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World Journal Tribune
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The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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0-19 (Rev. 12-9-66)

The Nation 2E

Nine Men for The Powell Case

Emanuel "Manny" Celler, the 78-year-old Judiciary Committee Chairman from Brooklyn and dean of the House of Representatives, is Speaker John McCormack's man on the special nine-man committee picked by the Speaker last week to conduct a five-week investigation of Adam Clayton Powell's fitness to serve as a member of the House.

Both men are devoted to the seniority system and both are opposed to expelling Mr. Powell. The Speaker's position is well known through private channels. Mr. Celler took a public position on Dec. 11 when he said he favored an investigation of the Manhattan Democrat but that "it would be too drastic to expel him from Congress."

Speaker McCormack last week named Mr. Celler chairman and four other liberal Democrats—including one of the House's six Negroes—as members of the special committee. All five voted on Jan. 10 for the liberal resolution that called for seatin Mr. Powell first and investigating him afterward. When that failed four of them voted for the Republican substitute setting up the committee they will now serve on. The one that refused to go along was the Negro member of the committee, John Conyers Jr., Detroit Democrat.

Of the four Republicans on the committee, two voted for the 1966 Civil Rights Bill, which passed the House and died in the Senate.

The committee will lay out a course of action at its first meeting Monday afternoon. The informed guess is that the hearings will be closed. The investigation will focus on Mr. Powell's continuing problem with the New York courts. What bother Congress more than anything else, because they bother the public, are the contempt of court citations against him, particularly one criminal citation. Mr. Powell's job is to erase that citation or explain satisfactorily that his violation is part of an appeals process and not a felony, as he claimed on the House floor Jan. 10.

There is no reason to expect anything but an amiable committee operation. Most members probably will defer to the 78-year-old chairman's age, his 44 years of service and the fact that he is chairman of the Judiciary Committee. There is no intimation that the Republicans will try any political exploitation of their role.

Further, for many members, a seat on this committee involves political sensitivities. All the Democrats have some Negro constituents and a political penalty, in some degree, goes with any recommendations for strong disciplinary action against Mr. Powell. A Negro Leadership Conference, called for Washington this week by A. Philip Randolph, is one symptom of the pro-Powell influence that is building up to save the Harlem member.

But nobody on the group is known to be hostile to Mr. Powell. One can expect Chairman Celler and his colleagues to try to persuade the Negro leaders that Mr. Powell should look to his public relations as well as the demands of the criminal courts in New York.

Prospects are good that the committee can produce a unanimous recommendation—perhaps to censure and seat Mr. Powell—and in that event its acceptance by the House would be almost certain. The effort has been consciously made to clothe the committee with the judicious character and avoid partisan rivalry. All nine members are lawyers and six are members of the Judiciary Committee.

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The Washington Merry-Go-Round

Dodd Holds Seat But Powell Waits

By Drew Pearson and Jack Anderson

There are some significant comparisons between Rep. Adam Clayton Powell, a Harlem Negro, and Sen. Tom Dodd of Connecticut, a white man. Both are Democrats. But Powell has been stripped of his chairmanship and ordered to stand aside for an investigation. Sen. Dodd, though under formal investigation, remains chairman of three important Senate subcommittees.

Here is the scorecard regarding the charges against them: Powell has been accused of payroll padding.

Dodd placed his sons on the Senate payroll, has sent them on vacations at the taxpayers' expense, and permitted them to charge their personal long-distance phone calls to the Senate. While Christopher Dodd was attending school in Providence, R. I., he phoned friends around the country from Providence and billed the calls to the Senate.

Perhaps Dodd's most flagrant case of payroll padding was when he borrowed money from Al Morano and George Gildea.

Powell misused his Committee air travel cards to take personal trips.

Dodd not only charged personal trips to his various committees but sometimes collected for the same trips from private groups. He spent a week in Los Angeles, from Feb. 26 to March 4, 1964. It was chiefly a vacation—except for a 15-minute joint press conference with Mayor Sam Yorty on juvenile delinquency and a banquet speech to the Los Angeles Junior Chamber of Commerce. Dodd billed both the Senate Juvenile Delinquency subcommittee and the Junior Chamber for the same trip.

Powell has been generally charged with loose spending.

Dodd spent hundreds of thousands of dollars that he collected as campaign contributions, often from companies that he had helped to obtain Government contracts. He drove an Oldsmobile that was turned over to him by a company he had aided. He also flew in the private planes of companies that had an interest in his hearings. It is against the law for a Senator to accept the slighest gratuity from those he helps in Washington. It is also a violation for him to divert campaign funds to personal use without reporting the income on his tax returns.

Contrasting Legislative Records

Powell was such a global gallivanter that he was nicknamed the Harlem globe-trotter. However, he passed an amazing number of constructive bills through his House Labor Committtee and did it with such efficiency that he received presidential praise.

Dodd in contrast passed no important legislation.

As chairman of the Juvenile Delinquency Committee, Dodd launched an investigation into sex and violence on the TV networks. Then he suppressed the most damaging evidence after conferences with NBC's attorneys. Significantly, NBC was represented before Dodd's committee by the same Wall Street firm that now represents Dodd before the Senate Ethics Committee.

Dodd's legislation to regulate the mail-order sale of guns has been languishing in committee since President Kennedy's assassination in 1963. It was introduced in the first place only after consultation with the gun industry. Its wording restricts foreign producers and won't hurt the big American manufacturers. The bill is still in committee.

Dodd and Insurance

As chairman of a Senate subcommittee that is supposed to investigate insurance abuses, Dodd actually has assisted the insurance companies behind the scenes.

On one occasion, he sent his chief insurance investigator,

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Dean Sharp, to the Agriculture Department to stop the Government from taking over insurance on stored grain from the private companies.

Simultaneously Dodd sent friends to insurance companies for loans, collected a law fee for arranging for Bankers Life and Casualty Company to do business in Connecticut, accepted free rides on a Travelers Insurance Company plane and got a job for his son, Jeremy, with Aetna Life and Casualty.

The Senator also stopped paying his own insurance premiums, which were carried for him by the Charles H. McDonough Sons Insurance Agency until this column broke the story. Up to that time, Dodd owed $3,403.37 in back premiums.

It might also be added that Dodd's law firm has represented Maryland Casualty, Standard Accident Insurance, Phoenix of Hartford Insurance, American Insurance Group, American Fidelity, Reliance Insurance, Fire Association of Philadelphia, Northwestern National Casualty, Central Mutual Insurance, and Norfolk and Dedham Insurance.

Yet he is still entrusted with investigating the insurance industry.

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Powell May Settle Suit Today

By WILLIAM TRAVERS and JOSEPH McNAMARA

A financial settlement may be reached today between Adam Clayton Powell and the Harlem widow the courts awarded $164,000 in slander damages, the unseated Congressman's new business manager declared yesterday.

The business manager, attorney Seymour Barash, 39, said that Raymond Rubin, lawyer for the widow, Mrs. Esther James, has agreed to meet today in his office with a representative of Jubilee Records and talk settlement.

(NEWS foto by Nick Sorrentino)
Seymour Barash as he met press yesterday.

Jubilee has pressed a million disks of Powell's record, "Keep the Faith, Baby," and expects to sell every one of them, according to Arthur Goodstein of 44 Court St., Brooklyn, lawyer for the record firm.

Powell has asked that royalties, at 22 cents a record, be held by the company for settlement of the slander judgment.

Leaders Back Powell

The litigation, based on Powell's 1960 remark that Mrs. James was a bag woman for crooked cops, and the Harlem Democrat's failure to observe court edicts growing out of the dispute, have been factors in his temporary loss of his seat in Congress while a committee probes his activities.

Meanwhile, leaders of five civil rights organizations pledged their support to Powell's fight to retain his congressional seat.

They were Martin Luther King, president of the Southern Christian Leadership Conference; A. Philip Randolph, International president of the Brotherhood of Sleeping Car Porters; Bayard Rustin, executive director of the A. Philip Randolph Institute; Roy Wilkins, executive director of the NAACP, and Whitney M. Young, director of the National Urban League.

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Around the Nation

Powell Held Ready To Pay Judgment

NEW YORK—An attorney for Rep. Adam Clayton Powell said yesterday that the Harlem Democrat has decided to pay off his troublesome slander judgment and is getting ready to come back to New York "like Lazarus."

Powell's failure to pay the judgment was partly behind the House's decision to strip him of his committee chairmanship and to deny him his seat pending an investigation, which begins this week. Powell also faces a jail term if he sets foot in New York.

Attorney Seymour Barash said until now Powell had followed the advice of his attorneys in not paying the $164,000 judgment to Mrs. Esther James. But now, said Barash, "we are in the appellate courts" and if Powell is ordered to pay up, "that's what he'll do."

Barash said Powell already has authorized Jubilee Records Inc., to place in escrow the royalties from his record "Keep the Faith, Baby" and to pay off the judgment if the courts finally decide against him.

Negro Summit

Civil rights leader A. Philip Randolph postponed this week's scheduled Negro summit meeting here because of what aides called an "overwhelming attendance demand."

The meeting had been called to come to grips with what Randolph calls a "deepening crisis" in Negro-white relations brought on by the Adam Clayton Powell case.

One Randolph aide said the number attending the summit meeting would greatly exceed the "50 to 75 top Negro leaders" Randolph wanted at the meeting. Rather than have a rally instead of a meeting that could produce "meaningful and creative discussion," Randolph postponed the session for an indefinite time.

Blood Bank Case

Sen. Edward V. Long (D-Mo.) says the Federal Trade Commission is pushing a test case that could cripple or destroy community blood banks.

The FTC ruled 3-to-2 on Oct. 25 that the Kansas City Hospital Area Association and others joined to hamper development of two commercial blood banks and combined to restrain interstate commerce in human blood.

Long listed 81 nonprofit blood banks across the Nation that would, he said, be endangered if the FTC prevails. Long said he will introduce a bill to exempt nonprofit blood banks from antitrust laws.

'Vietnam Week'

Rep. Edwin E. Willis (D-La.) said Communist groups "of both Peking and Moscow varieties" plan protests across the Nation during the week of April 8-15 to protest U.S. involvement in the Vietnam war.

Willis, chairman of the House committee on Un-American Activities, said two groups involved in the "Vietnam Week" protests are the "Student Strike Group" and the "Spring Mobilization Committee to End the War in Vietnam."

Willis's charges are based on information gained by his committee while investigating racial riots in the Nation's cities last year. Hearings may be held on the role of subversive groups in the riots.

Harris & Ewing

A. PHILIP RANDOLPH
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UPI-13
(POWELL)
WASHINGTON--THE ADAM CLAYTON POWELL INQUIRY MOVED ALONG TODAY AT A LAWYERS' PACE.
THE NINE CONGRESSMEN CHARGED WITH RECOMMENDING WHETHER TO SEAT THE HARLEM DEMOCRAT ARE MAKING IT CLEAR THEY WILL ACT AS A BOARD OF REVIEW RATHER THAN AS A TEAM OF INVESTIGATORS.
THE SELECT HOUSE COMMITTEE, MADE UP ENTIRELY OF ATTORNEYS, HELD ITS FIRST MEETING YESTERDAY AFTERNOON -- AN HOUR-AND-A-HALF ORGANIZING SESSION -- AND THEN ADJOURNED UNTIL SOMETIME NEXT WEEK.
THE PANEL IS REQUIRED TO SUBMIT A REPORT TO THE HOUSE BY FEB. 24.
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UPI-189

mrs Adam Clayton Powell Wash DC

(THIEVES)

VEGA ALTA, PUERTO RICO--POLICE REPORTED TODAY THAT THIEVES BROKE INTO THE HOUSE OF MRS. YVETTE DIAGO POWELL, ESTRANGED WIFE OF REP. ADAM CLAYTON POWELL, D-N.Y., LAST NIGHT.

NO ONE WAS AT HOME AT THE TIME. NOTHING WAS TAKEN BUT THE THIEVES LEFT THE HOUSE IN DISORDER IN THEIR SEARCH FOR VALUABLES.

MRS. POWELL WAS REMOVED FROM HER JOB AS AN AIDE TO HER HUSBAND AT A SALARY OF MORE THAN $20,000 A YEAR IN THE COURSE OF THE RECENT CONGRESSIONAL INVESTIGATION INTO POWELL'S ACTIVITIES.

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HENRY J. TAYLOR

Powell Case Points Up Phony Liberalism

ABSENTEE Congressman Adam Clayton Powell, author of the forthcoming book and record, "Keep the Faith, Baby," reveals again why it is nearly impossible for any self-respecting man to call himself a liberal in our country today.

This is a tragedy. Liberalism means a state of mind. It should be synonymous with decency, idealism and justice. But the professional liberal cabal with its obedient component of talking dogs, musical apes, counting mules and dancing bears—in and out of Congress—has stolen the label.

Scaramouch Powell will retain his seat if the ever ready fixers in the liberal cabal can make their fix stick. . .

The convenient spearhead for this is veteran liberal rationalizer Emanuel Celler, D-N. Y., who sorely needs the Negro vote in Brooklyn. Then the Democratic party leadership, promising "a blue ribbon jury," flanked Chairman Celler with four additional members of the liberal cabal. These ventriloquists' dolls stack the committee, 8 to 4, against the protesting Republicans.

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ONLY POWER POLITICS lets the professional liberals get away with it. Interesting this bunch in doing the right thing about Powell is like trying to interest a Peruvian llama in a steeplechase.

Leaders in the cabal like Sen. Robert F. Kennedy are so busy showing their liberal credentials that ethics, honesty, "excellence" and the "better government" they prattle about become sheer mockery.

"I have no complaint against Congressman Adam Clayton Powell," said Attorney General Kennedy when he needed to use his long political alliance with Powell as his power base to enter New York politics and the U. S. Senate.

"Robert F. Kennedy is my man—and he knows it," gloated Powell.

It should have surprised no one that Senator Kennedy gratuitously criticized the House for suspending Powell. In Bobby Kennedy's pitch for the presidency he is simply trying to make himself unbeatable from the left.

Has Dr. Martin Luther King, another publicity hound of the first water and professional liberal no-matter-what, effectively raised his voice against the shouts that confront our country: "Kill Whitey," "Kill Mr. Charley," "Burn, baby, burn"? And what did this professional liberal say when Powell told Harlem: "Don't pay your taxes. Don't send your Harlem boys to the Viet Nam war"?

I was in Cleveland the other day. Its Hough section exploded last July in a roaring fiesta of fire, violence and looting. The scars are still there. Riot-torn buildings are boarded up. Charred houses stand deserted, unused. Many Hough neighborhood merchants only feel safe by keeping guns in their pockets. Residents are still afraid to leave their homes at night. But does Dr. King cry "shame" or go [illegible] to help bind up the wounds? He does not.

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CALIFORNIA Gov. Edmund (Pat) Brown's re-election campaign was a liberal classic. The liberal cabal cooked up his TV film ("The Man vs. The Actor"), which closed with a closeup of their champion bending down to pat the heads of some Negro children.

"Remember," Governor Brown announced, "an actor killed Abraham Lincoln."

This exercise in contemporary "liberalism" so nauseated even some of the professional liberals themselves that they signed advertisements in California newspapers repudiating it, and surely the disgraceful film was counterproductive.

Judging by the last elections, the liberal cabal is wearing out its welcome. The fix in favor of Adam Clayton Powell is very liable indeed to cap the climax.

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UPI-62
(POWELL)

NEW YORK--A CHECK FOR $32,500 MADE OUT TO REP. ADAM CLAYTON POWELL WAS DELIVERED TO STATE SUPREME COURT TODAY AS PART PAYMENT OF THE DEFAMATION JUDGMENT POWELL OWES TO A HARLEM WOMAN.

THE CHECK WAS DELIVERED BY STEVE BLAINE, PRESIDENT OF JUBILEE RECORDS. BLAINE SAID IT REPRESENTED ADVANCE PAYMENT FOR POWELL'S NEW RECORDING "KEEP THE FAITH, BABY," WHICH WAS RELEASED YESTERDAY.

BLAINE SAID THE HARLEM CONGRESSMAN'S RECORD HAD ADVANCE ORDERS FOR ONE MILLION COPIES WHICH HE SAID WOULD NET POWELL $220,000.

THE CHECK WAS EARMARKED FOR MRS. ESTHER JAMES, WHOM POWELL WAS CONVICTED OF DEFAMING BY CALLING HER A GRAFT COLLECTOR FOR DISHONEST POLICEMEN.

HOWEVER, MRS. JAMES' ATTORNEY, RAYMOND RUBIN, SAID HE WOULD NOT ACCEPT THE CHECK UNLESS IT WAS ENDORSED BY POWELL. SEYMOUR BRASH, A POWELL ATTORNEY, SAID HE WAS AUTHORIZED TO ENDORSE THE CHECK BUT RUBIN CLAIMED THAT WOULD BE IMPROPER.

THE ORIGINAL JUDGMENT AGAINST POWELL WAS SET AT $211,000 BUT ON APPEAL IT WAS REDUCED TO $46,500. WITH INTEREST, THAT AMOUNT HAS INCREASED TO $51,500.

POWELL ALREADY HAS PAID MRS. JAMES $19,000. BARASH (CORRECT) SAID TODAY'S $32,500 WOULD WIPE OUT THE REST OF THE $51,500.

HOWEVER, RUBIN CLAIMS POWELL OWES MRS. JAMES A TOTAL OF $73,000 BASED ON PENALTIES AND INTEREST ON HIS FAILURE TO PAY THE ORIGINAL JUDGMENT.

THE DIFFERENCE BETWEEN THE $173,000 AND THE $51,500 IS NOW BEING REVIEWED BY THE APPELLATE DIVISION OF STATE SUPREME COURT. IF THE DIVISION RULES IN POWELL'S FAVOR, THE PAYMENT TODAY WOULD WIPE THE SLATE CLEAN.

HOWEVER, IF THE DIVISION RULES POWELL MUST PAY MRS. JAMES THE DIFFERENCE -- $121,500 -- BARASH SAID JUBILEE RECORDS WOULD PAY THE AMOUNT WITH FUNDS POWELL IS YET TO RECEIVE FROM HIS RECORD.

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LETTERS TO THE EDITOR

Roy Wilkins on Powell

Exhausted though I am, I lift a feeble whisper to remark upon the unique fact that my reasoning and my scribbling in the Affair Powell have been able to wring "paralogistical" from William F. Buckley Jr. How much more ominous it would have sounded on his television program! But I expect too much. It is enough that I have brought forth a Buckley word.

As for Powell, I continue to leave the glossing over of the manner of his punishment with the understandable (and hardly debatable) condemnation of his personal conduct to the theoreticians and their endless exploration into the crevices on the soul of man.

We Negroes are novices. One of these eons we will emerge from the Adam Powell period into the Neville Chamberlain period. If there be a world then, we, too, shall sin and not be punished.

ROY WILKINS
Executive Director NAACP
Manhattan

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The Washington Post
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The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
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Blackmail Revisited

Adam Clayton Powell's latest press conference fell victim to its own over-enthusiastic advance publicity. Powell and his aides, in an effort to convince newsmen that this trip to the Bahamas was necessary, promised that "fantastic" things were afoot and that the script contained "several important announcements."

When the curtain finally rose on the overheralded production, it proved to be something of a turkey. It was, in fact, a commercial message for Powell's long-playing record, "Keep the Faith, Baby," acted out against a counter-plot of warmed-over blackmail threat.

The conference did offer one tidbit of information, although even that single item was considerably qualified. He would, Powell said, appear before the committee investigating his qualifications "when my counsel advises me" to do so. Which could, of course, be never.

Then came the implied warning to his fellow House members. "I'm ready with lots of information about my colleagues," he said. "I don't intend to hide the truth."

This kind of threat is, of course, nothing new from Powell. He has issued the "don't tread on me" warning before. But Congress is no longer in any position to let the challenge go unanswered, for it is now in the process of sitting in judgment on him. Powell should promptly be called before the committee in public session, and—assuming that his counsel advises him to come—should be pressed to recite in detail all the secret knowledge he has professed to have acquired about other members of Congress.

Failure to call him would be a tacit admission that the committee is afraid to do so. And if it turns out that Powell is not bluffing — that he indeed has knowledge of other congressional transgressions equal to his own — the treatment of the offending congressmen should be no less severe than that which Powell has received.

There can be no double standard for public servants. Nor should the charge go unchallenged that discrimination has been practiced in the Adam Clayton Powell affair.

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'See you and raise you, baby!'

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The Washington Daily News
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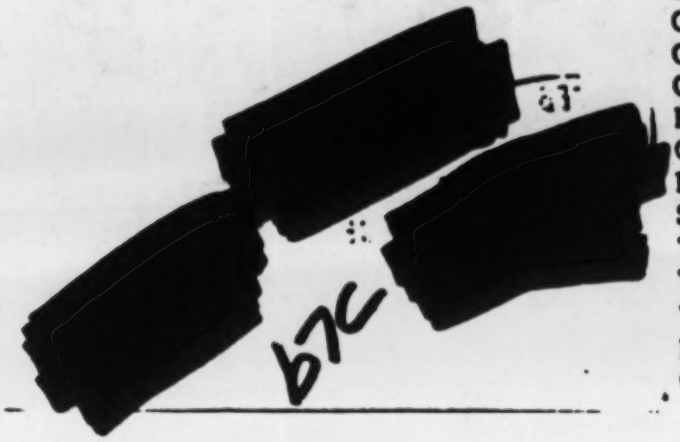

UPI-128

(POWELL)

WASHINGTON--ADAM CLAYTON POWELL TODAY ACCEPTED AN INVITATION TO TESTIFY WEDNESDAY BEFORE A SPECIAL COMMITTEE EXAMINING HIS FITNESS TO SERVE IN CONGRESS.

BUT THERE WERE INDICATIONS THAT THE NEGRO MINISTER-POLITICIAN WOULD ANSWER ONLY QUESTIONS DEALING WITH CONSTITUTIONAL ISSUES.

ON JAN. 10, OPENING DAY OF THE 90TH CONGRESS, THE 11-TERM REPRESENTATIVE FROM HARLEM WAS DENIED HIS SEAT PENDING AN INVESTIGATION INTO HIS "RIGHT" TO IT. THE SELECT COMMITTEE HAS UNTIL FEB. 24 TO RECOMMEND TO THE HOUSE WHETHER IT SHOULD VOTE TO SEAT HIM.

POWELL SENT THE 9-MAN COMMITTEE A TELEGRAM MONDAY FROM HIS VACATION RETREAT ON THE ISLAND OF BIMINI. IT SAID: "I WILL APPEAR WEDNESDAY AT 10 A.M. WITH COUNSEL."

THE HEARING IS SCHEDULED TO BE OPEN. UNDER HOUSE RULES, HOWEVER, POWELL CAN ASK TO TESTIFY IN CLOSED SESSION.

ONE OF HIS EIGHT LAWYERS SAID IT HAD NOT BEEN DECIDED WHETHER POWELL WOULD ASK FOR A CLOSED CONFRONTATION.

POWELL'S LAWYERS HAVE FILED A SCHOLARLY BRIEF IN WHICH THEY CONTEND THAT UNDER THE CONSTITUTION THE HOUSE CANNOT DENY A DULY ELECTED MEMBER HIS SEAT UNLESS HE FAILS TO MEET THE AGE, CITIZENSHIP OR RESIDENCY QUALIFICATIONS.

THEY CLAIM THIS IS THE EXTENT OF THE SELECT COMMITTEE'S JURISDICTION. ASKED WHETHER POWELL WOULD ANSWER ANY QUESTIONS OUTSIDE THIS AREA, ONE OF THE LAWYERS SAID:

"I WOULD SUGGEST YOU COMPARE OUR BRIEF AND THE LETTER OF INVITATION."

IN A LETTER TO POWELL LAST WEEK, THE SPECIAL COMMITTEE'S CHAIRMAN, EMANUEL CELLER, D-N.Y., INVITED THE CONGRESSMAN TO TESTIFY AS TO WHETHER HE MEETS THE THREE QUALIFICATIONS FOR MEMBERSHIP--THAT HE BE AT LEAST 25, THAT HE BE A CITIZEN OF THE UNITED STATES AND THAT HE BE A RESIDENT OF NEW YORK STATE.

POWELL HAS NO QUALMS ABOUT ANSWERING QUESTIONS ON THOSE POINTS. HE CLAIMS HE MEETS ALL THREE REQUIREMENTS.

BUT THE COMMITTEE ALSO WANTS TO ASK HIM ABOUT:

-- A LIBEL SUIT WHICH HAS BEEN PLAGUING HIM IN NEW YORK FOR SEVEN YEARS. HE HAS BEEN HELD TO BE IN CONTEMPT OF COURT AND SADDLED WITH A $168,000 JUDGMENT. LAST WEEK HE PAID $33,000 OF THAT AMOUNT TO A HARLEM WIDOW WHO BROUGHT THE SUIT.

-- "MATTERS OF YOUR ALLGED OFFICIAL MISCONDUCT SINCE JAN. 3, 1965," THE DATE HE BECAME CHAIRMAN OF THE HOUSE EDUCATION AND LABOR COMMITTEE.

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UPI-12
(POWELL)

WASHINGTON--THE SPECIAL PANEL EXAMINING ADAM CLAYTON POWELL'S FITNESS TO SERVE IN CONGRESS EXPECTED HIM TO SHOW UP FOR HIS FIRST HEARING TODAY, BUT BEYOND THAT NOTHING WAS CERTAIN.

STILL UNANSWERED WERE SUCH QUESTIONS AS WOULD THE UNPREDICTABLE HARLEM DEMOCRAT BE WILLING TO TESTIFY IN OPEN SESSION AND WOULD HE BE WILLING TO ANSWER ALL THE QUESTIONS THE COMMITTEE'S FIVE DEMOCRATS AND FOUR REPUBLICANS WANT TO ASK HIM.

POWELL WAS BACK IN SNOWBOUND WASHINGTON YESTERDAY FROM HIS BIMINI RETREAT IN THE BAHAMAS, AND SOURCES SAID HE STOPPED IN BRIEFLY AT HIS HOUSE OFFICE.

A BATTERY OF EIGHT LAWYERS WORKING IN POWELL'S BEHALF SPENT LAST NIGHT TRYING TO DECIDE ON THE BEST LEGAL AND POLITICAL STRATEGY. AS OF LATE EVENING, ACCORDING TO ONE SOURCE, THEY STILL HAD NOT YET MADE UP THEIR MINDS ABOUT KEY POINTS.

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-49
(POWELL)

WASHINGTON--ADAM CLAYTON POWELL SAID TODAY HE WOULD ANSWER ONLY CONSTITUTIONAL QUESTIONS AT HIS APPEARANCE BEFORE THE SPECIAL HOUSE COMMITTEE EXAMINING HIS RIGHT TO SIT IN CONGRESS.

"WHY SHOULD I VIOLATE THE CONSTITUTION?" THE HARLEM DEMOCRAT TOLD NEWSMEN AS HE WALKED FROM HIS OFFICE TO THE FIRST COMMITTEE SESSION.

POWELL, ADVISED BY A BATTERY OF CIVIL RIGHTS AND CONSTITUTIONAL LAWYERS, CONTENDS THAT THE HOUSE -- AND THE SELECT COMMITTEE INVESTIGATING HIM -- CAN ONLY JUDGE WHETHER HE MEETS THE QUALIFICATIONS OF AGE, CITIZENSHIP AND RESIDENCY, AS SET FORTH IN THE CONSTITUTION.

THE COMMITTEE, HOWEVER, MAINTAINS IT CAN ALSO ASK HIM ABOUT OTHER MATTERS, SUCH AS HIS ALLEGED ABUSE OF HIS CHAIRMANSHIP OF THE HOUSE EDUCATION AND LABOR COMMITTEE, AND LEGAL PROBLEMS BESETTING HIM IN NEW YORK.

POWELL APPEARED A BIT SUBDUED, BUT CONFIDENT. BACKSTEPPING CAMERAMEN PRECEDED HIM ON THE 200-YARD WALK FROM HIS OFFICE TO THE COMMITTEE ROOM.

HE RETURNED TO WASHINGTON FROM HIS RETREAT ON THE ISLAND OF BIMINI YESTERDAY.

POWELL WAS BARRED FROM HIS SEAT ON JAN. 10, PENDING THE INVESTIGATION. THE HOUSE PERMITTED HIM TO KEEP HIS OFFICE STAFF AND CONTINUE RECEIVING HIS $30,000 A YEAR SALARY.

THE SPECIAL COMMITTEE IS TO REPORT THE RESULTS OF THE INVESTIGATION TO THE HOUSE, AND MAKE RECOMMENDATIONS, BY FEB. 23.

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UPI-63

ADD 1 POWELL, WASHINGTON (UPI-49)

THE CONTROVERSIAL HARLEM DEMOCRAT POLITELY TOLD THE 9-MAN PANEL THAT THE QUESTIONING, WHICH HAD JUST BEGUN, WOULD HAVE TO STOP UNTIL THE COMMITTEE RULED ON FIVE MOTIONS FILED BY ATTORNEYS ACCOMPANYING HIM.

COMMITTEE CHAIRMAN EMANUEL CELLER, D-N.Y., CALLED A HALF-HOUR RECESS, PRESUMABLY TO RULE ON THE MOTIONS.

POWELL'S BATTERY OF EIGHT CONSTITUTIONAL AND CIVIL RIGHTS LAWYERS ASKED THAT THE COMMITTEE CONFINE ITSELF TO DETERMINING WHETHER POWELL MEETS THE CONSTITUTIONAL QUALIFICATIONS FOR MEMBERSHIP IN THE HOUSE WHICH THEY SAY IS LIMITED TO AGE, CITIZENSHIP AND RESIDENCY.

THEY ALSO ASKED THAT POWELL BE INFORMED OF THE CHARGES AGAINST HIM, THAT HE BE PERMITTED TO CONFRONT HIS ACCUSERS AND BRING IN WITNESSES TO TESTIFY IN HIS BEHALF.

THE INQUIRY IS BEING CONDUCTED IN ACCORDANCE WITH ACTION TAKEN BY THE HOUSE ON JAN. 10 WHEN IT REFUSED TO SEAT THE MINISTER-POLITICIAN PENDING AN INVESTIGATION. THE COMMITTEE MUST REPORT BACK TO THE HOUSE WITH ITS RECOMMENDATIONS BY FEB. 23, AFTER WHICH THE HOUSE WILL DECIDE BY MAJORITY VOTE WHETHER POWELL SHOULD START HIS 12TH TERM IN CONGRESS.

POWELL TOOK HIS SEAT IN THE BIG HOUSE JUDICIARY COMMITTEE HEARING ROOM, SMILING EASILY FOR PHOTOGRAPHERS AND EXCHANGING GREETINGS WITH NEWSMEN. COMMITTEE MEMBERS ALREADY IN THEIR SEATS DID NOT IMMEDIATELY ADDRESS HIM DIRECTLY.

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UPI-66
ADD 2 POWELL, WASHINGTON
THE OPEN HEARING, THE FIRST HELD BY THE COMMITTEE, WAS BARELY AN HOUR OLD WHEN IT STALLED ON THE IMPORTANT PROCEDURAL QUESTIONS.
ACTING ON THE ADVICE OF HIS LAWYERS, POWELL FIRST DECLINED TO BE SWORN IN "AT THIS TIME" BUT NEVERTHELESS BEGAN SUBMITTING TO QUESTIONS BY COMMITTEE COUNSEL, WILLIAM A. GEOGHEGAN.
POWELL SAID HE WAS BORN IN 1908 AND THAT HE RESIDED AT 120 WEST 138TH ST., NEW YORK CITY -- "NEXT DOOR TO MY CHURCH."
GEOGHEGAN THEN ASKED POWELL WHETHER HE WAS THE PASTOR OF THE ABSSINIAN BAPTIST CHURCH IN HARLEM. ONE OF POWELL'S LAWYERS CONFERRED WITH HIM FOR A MOMENT.
"MR. CHAIRMAN," POWELL THEN SAID, "I THINK AT THIS TIME WE ARE GOING TO HAVE TO WITHDRAW -- UPON THE ADVICE OF COUNSEL."
MUCH OF THE TIME BEFORE POWELL WAS CALLED WAS TAKEN UP BY LEGAL DISCUSSIONS AND SPARRING BETWEEN LAWYERS FOR OR SUPPORTING POWELL AND THE 78-YEAR OLD CELLER.
IN AN OPENING STATEMENT CELLER SAID THE PANEL INTENDED TO ASK POWELL NOT ONLY ABOUT CONSTITUTIONAL QUESTIONS INVOLVED IN HIS SEATING BUT ALSO ABOUT OTHER CHARGES.
THESE INCLUDE ALLEGATIONS THAT HE MISUSED HIS TRAVEL AUTHORITY AS CHAIRMAN OF THE HOUSE EDUCATION AND LABOR COMMITTEE AND THAT HE IMPROPERLY PUT HIS WIFE ON HIS CONGRESSIONAL PAYROLL ALTHOUGH SHE LIVED IN PUERTO RICO.
THE CONSTITUTION SAYS A HOUSE MEMBER MUST BE AT LEAST 25, A CITIZEN FOR AT LEAST SEVEN YEARS, AND AT THE TIME OF HIS ELECTION AN INHABITANT OF THE STATE FROM WHICH HE IS ELECTED.
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Adam Clayton Powell

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UPI-106
ADD 4 POWELL, WASHINGTON
POWELL, WITH A BATTERY OF LAWYERS, AGREED TO ANSWER QUESTIONS ONLY ABOUT HIS AGE, CITIZENSHIP, AND RESIDENCE -- THE QUALIFICATIONS FOR A HOUSE MEMBER SET BY THE CONSTITUTION.
HE SAID HE WAS SORRY,
"BUT I WOULD NOT WANT YOU TO FORCE ME TO BREAK THE CONSTITUTION," HE TOLD THE COMMITTEE.
POWELL, TESTIFYING "UNDER PROTEST" AFTER THE COMMITTEE OVERRULED A SERIES OF OBJECTIONS FILED BY HIS ATTORNEYS, OFFERED A BIRTH CERTIFICATE, TAX RETURNS, CANCELED CHECKS, STATE DRIVER'S LICENSE AND OTHER DOCUMENTARY EVIDENCE THAT HE IS MORE THAN 25, A CITIZEN, AND AN "INHABITANT" OF NEW YORK STATE.
HE BALKED AT ANSWERING QUESTIONS ABOUT THE SLANDER JUDGMENT AND CONTEMPT CITATIONS THAT HAVE SUBJECTED HIM TO ARREST IN NEW YORK, AND DECLINED TO SAY WHETHER HE OWNED PROPERTY IN BIMINI OR ELSEWHERE THAN IN NEW YORK STATE.
"ON ADVICE OF COUNSEL, I REFUSE TO ANSWER ANY QUESTIONS OTHER THAN THOSE RELATING TO AGE, CITIZENSHIP OR RESIDENCY," POWELL SAID REPEATEDLY IN REJECTING SUCH QUESTIONS.
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UPI-108
ADD 5 POWELL, WASHINGTON
"UNDER THE CIRCUMSTANCES," SAID CELLER, FINALLY, "IT WOULD BE USELESS TO CONTINUE WITH MR. POWELL HERE, WITH HIS ARRAY OF COUNSEL, SO THE MEETING IS ADJOURNED."
POWELL'S ATTORNEYS PROTESTED THAT HE HAD NOT BEEN ACCORDED A PROMISED CHANCE TO MAKE A STATEMENT. CELLER REPLIED THAT THIS PROMISE WAS CONDITIONED ON POWELL HAVEING COMPLETED ANSWERING THE COMMITTEE'S QUESTIONS.
BUT HE LEFT THE WAY OPEN FOR POWELL TO APPEAR AGAIN LATER, AND ALSO RULED THAT POWELL COULD ATTEND ALL THE COMMITTEE'S HEARINGS, WITH COUNSEL BUT HE REJECTED POWELL'S DEMAND PLEA FOR THE RIGHT TO CROSS-EXAMINE OTHER WITNESSES.
POWELL CHARGED AFTERWARDS THAT THE COMMITTEE "VIOLATED ITS WORD" IN REFUSING TO HEAR HIS CLOSING STATEMENT. HE DECLINED TO COMMENT ON A NEWSMAN'S QUESTION WHETHER HE THOUGHT HIS WILLINGNESS TO ANSWER ONLY CERTAIN QUESTIONS HAD HURT HIS CHANCES OF EVENTUALLY WINNING HIS SEAT.
THE COMMITTEE IS UNDER INSTRUCTIONS TO REPORT BY FEB. 23 ITS RECOMMENDATIONS ON WHETHER POWELL SHOULD BE SEATED FOR HIS 12TH TERM IN THE HOUSE. ON JAN. 10 THE HOUSE VOTED TO DENY HIM HIS SEAT, PENDING AN INQUIRY.
CHARGES AGAINST POWELL ARE THAT HE IS IN DEFIANCE OF NEW YORK COURTS, IN A SLANDER JUDGMENT AGAINST HIM, AND THAT AS A RESULT CANNOT GO HOME EXCEPT ON PAIN OF ARREST; AND ALSO THAT HE ABUSED HIS TRAVEL AUTHORITY AND PAY ROLL AS CHAIRMAN OF THE EDUCATION AND LABOR COMMITTEE.
THE COMMITTEE AT ITS FIRST HEARING TODAY NEVER GOT INTO THESE CHARGES DIRECTLY. HOWEVER, POWELL, ON ADVICE OF COUNSEL, DECLINED TO ANSWER A NUMBER OF QUESTIONS BEARING ON THEM INDIRECTLY, AT LEAST.
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UPI-112

ADD 6 POWELL, WASHINGTON

IN AN UNEXPECTED TACK, COMMITTEE COUNSEL WILLIAM A. GEOGHEGAN CITED WHAT HE CALLED TESTIMONY THAT POWELL HAD NOT SPENT A NIGHT AT HIS NEW YORK APARTMENT SINCE THE SUMMER OF 1965. POWELL SAID HE COULD NOT REMEMBER ABOUT THIS, ALTHOUGH HE SAID HE HAD VISITED NEW YORK MANY TIMES IN 1966, USUALLY ON SUNDAY WHEN HE PREACHES BEFORE THE ABYSSINIAN BAPTIST CHURCH. HE SAID HE HAS BEEN PASTOR OF THE CHURCH SINCE 1937.

DESPITE THE IMPLICATION OF GEOGHEGAN'S QUESTION, CELLER SAID AFTERWARDS THE COMMITTEE WAS NOT PREPARED TO CHALLENGE SERIOUSLY THE HARLEM LAWMAKER'S CONSTITUTIONAL QUALIFICATION AS AN "INHABITANT" OF THE STATE OF NEW YORK.

CELLER TOLD NEWSMEN POWELL HAD NOT HELPED HIS CASE BY HIS REFUSAL TO ANSWER QUESTIONS ABOUT HIS LEGAL TROUBLES IN NEW YORK OR HIS CONDUCT AS A MEMBER OF CONGRESS. HE SAID THE COMMITTEE HAD A MANDATE BROAD ENOUGH TO INVESTIGATE POWELL "FROM STEM TO STERN."

UNDER THE CONSTITUTION, THE HOUSE IS THE SOLE JUDGE OF ITS MEMBERSHIP. POWELL'S LAWYERS ARGUE HOWEVER THAT THE ONLY FACTS IT CAN JUDGE ARE THOSE RELATING TO QUALIFICATIONS SET FORTH IN THE CONSTITUTION.

CELLER ON BEHALF OF THE COMMITTEE REJECTED A SERIES OF MOTIONS AND OBJECTIONS TO THIS EFFECT, OFFERED BY POWELL'S LAWYERS, WHICH IF GRANTED WOULD HAVE REQUIRED THE COMMITTEE TO REPORT BACK TO THE HOUSE FORTHWITH A FAVORABLE RECOMMENDATION OF THE SEATING OF POWELL.

CELLER AT ONE POINT REMONSTRATED WITH POWELL FOR HIS REFUSAL TO ANSWER ALL QUESTIONS, AND APPEALED TO HIM TO RECONSIDER. HE OFFERED IN FACT TO RECESS THE COMMITTEE SO POWELL COULD TALK IT OVER AGAIN WITH HIS LAYERS.

HE NOTED THAT IN THE ABSENCE OF TESTIMONY FROM POWELL, THE COMMITTEE HAD NO CHOICE BUT TO "DRAW ITS OWN INFERENCES" ABOUT EVIDENCE UNFAVORABLE TO HIM, INCLUDING THAT ADDUCED EARLIER BY A HOUSEKEEPING SUBCOMMITTEE BEFORE WHICH POWELL DECLINED TO APPEAR.

BUT POWELL'S LAWYERS SAID THEIR MINDS WERE MADE UP. SHORTLY AFTER THAT, CELLER ADJOURNED THE HEARING.

REP. JOHN CONYERS JR., D-MICH ONLY NEGRO MEMBER OF THE COMMITTEE, SAID HE DID NOT AGREE WITH THE COMMITTEE'S DECISION TO OVERRRULE THE MOTIONS.

CONYERS HAD ALSO PRESSED THE COMMITTEE TO RULE ON THE MOTIONS BEFORE PROCEEDING ANY FURTHER. THIS IT DID.

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UPI-115
ADD 7 POWELL, WASHINGTON
POWELL'S NEWS CONFERENCE IN THE HALL WAS MARKED BY SHOUTS OF ENCOURAGEMENT FROM A HANDFUL OF NEGRO WOMEN DRESSED IN SYMBOLIC BLACK MOURNING CLOTHES. ONE OF THEM CRIED OUT REPEATEDLY: "INVESTIGATE RIVERS," AN APPARENT REFERENCE TO REP. L. MENDEL RIVERS, D-S.C.

A MAN'S VOICE SHOUTED, "INVESTIGATE THE MORALS OF LYNDON JOHNSON."

EXCEPT FOR THESE OUTBURSTS OUTSIDE THE HEARING ROOM, THERE WERE NO DISTURBANCES. UNLIKE OTHER RECENT OCCASIONS WHEN POWELL'S CASE REACHED A CRITICAL POINT, THERE WERE FEW OF HIS SUPPORTERS ON HAND.

INSIDE THE HEARING ROOM, THE LAWYERS ARGUED THEIR CASE COURTEOUSLY AND CELLER, EXCEPT FOR A FEW EXCEPTIONS WHEN HE USED HIS GAVEL, RESPONDED IN KIND.

BEFORE THE RECESS CELLER REFERRED TO THE MOTIONS AS "DILATORY." AFTER THE ONE-HOUR RECESS HE ANNOUNCED THAT THE MOTIONS WERE MADE PROPERLY AND IN GOOD FAITH AND HE WANTED TO WITHDRAW THE CHARACTERIZATION OF THEM AS DILATORY.

THERE WERE EVEN A FEW LIGHT MOMENTS. ATTORNEY WILLIAM KUNSTLER INTRODUCED A CONGRESSIONAL PICTURE DIRECTORY INTO THE RECORD TO SHOW POWELL LISTED AS A RESIDENT OF NEW YORK, CELLER ASKED IF IT WAS A GOOD PICTURE OF MR. POWELL.

"THERE'S A FINE PICTURE OF MR. POWELL, AND THERE ARE FINE PICTURES OF ALL OF YOU," KUNSTLER SAID WITH A SMILE.

"YOU'RE GAINING FRIENDS," REP. ARCH MOORE, R-W.VA., COMMENTED.

A MOMENT LATER KUNSTLER SUBMITTED A SERIES OF NEW YORK STATE INCOME TAX RETURNS FOR PAST YEARS AND AN ESTIMATE OF HIS INCOME FOR 1967.

"DOES THAT INCLUDE THE NEW RECORD," CELLER SAID, REFERRING TO POWELL'S LONG-PLAYING RECORDING "KEEP THE FAITH, BABY."

"THAT'S OFF THE RECORD, MR. CHAIRMAN," KUNSTLER RESPONDED.

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UPI-11
(POWELL)

WASHINGTON--ADAM CLAYTON POWELL'S LAWYERS -- WHO ADVISED HIM NOT TO TALK TO A SPECIAL HOUSE COMMITTEE INVESTIGATING HIS "FITNESS" TO SERVE -- MAY HAVE BOUGHT HIM A TICKET RIGHT OUT OF CONGRESS.

THE CONSENSUS AMONG HOUSE MEMBERS TODAY WAS THAT POWELL'S CHANCES OF REGAINING HIS SEAT LATER THIS MONTH HAD FALLEN SHARPLY ON THE BASIS OF HIS PERFORMANCE YESTERDAY BEFORE THE COMMITTEE.

BUT THEY ALSO NOTE THAT, SHOULD POWELL BE OUSTED, HE PROBABLY WOULD IMMEDIATELY RUN FOR RE-ELECTION, WIN HANDSOMELY AND WITHIN TWO OR THREE MONTHS PRESENT HIMSELF AGAIN FOR ADMISSION TO THE HOUSE. THEN, THEY SAID, THE HOUSE PROBABLY WILL ALLOW HIM TO TAKE THE SEAT HE'S HELD FOR 22 YEARS.

THE SPECIAL COMMITTEE SCHEDULED A CLOSED-DOOR, WHERE-DO-WE-GO-FROM-HERE SESSION TODAY. ONE REPUBLICAN MEMBER, WHO FELT POWELL ACTED ARROGANTLY, SAID, "WE WON'T HAVE ANY TROUBLE REACHING A DECISION IF THE OTHER WITNESSES DO THE SAME."

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UPI-52

(POWELL)

WASHINGTON--HOUSE INVESTIGATORS ANNOUNCED TODAY THEY HAD ISSUED SUBPOENAS FOR THE APPEARANCE AT A PUBLIC HEARING NEXT TUESDAY OF ADAM CLAYTON POWELL'S ESTRANGED WIFE AND HIS BEAUTEOUS SECRETARY AND SOMETIME TRAVELING COMPANION.

CHAIRMAN EMANUEL CELLER OF THE SELECT COMMITTEE EXAMINING POWELL'S FITNESS TO SERVE IN CONGRESS ANNOUNCED ISSUANCE OF THE SUBPOENAS FOR MRS. Y. MARJORIE FLORES POWELL AND FOR MISS CORRINE HUFF.

REP. ARCH MOORE, R-W.VA., SAID THE COMMITTEE HAD NOT YET RECEIVED WORD FROM U.S. MARSHALS WHETHER THE SUBPOENAS HAVE ACTUALLY BEEN SERVED ON EITHER OF THE WOMEN.

MRS. POWELL LIVES IN PUERTO RICO. MISS HUFF'S WHEREABOUTS WERE NOT KNOWN BUT SHE HAS BEEN ON THE CARIBBEAN ISLAND OF BIMINI, A BRITISH POSSESSION IN THE BAHAMAS WHERE U.S. SUBPOENAS CANNOT BE SERVED.

CELLER SAID THAT POWELL WOULD BE ~~"REINIVED"~~ "REINVITED" TO APPEAR AT TUESDAY'S HEARING. THE HARLEM DEMOCRAT SHOWED UP AT THE PANEL'S FIRST HEARING WEDNESDAY BUT REFUSED TO ANSWER ANY QUESTIONS OTHER THAN THOSE DEALING WITH CONSTITUTIONAL QUALIFICATIONS FOR MEMBERSHIP.

THE COMMITTEE HELD A WHERE-DO-WE-GO-FROM-HERE MEETING TODAY AND APPARENTLY DECIDED TO PLUNGE AHEAD DESPITE POWELL'S REFUSAL TO COOPERATE ON ITS TERMS.

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UPI-89
ADD 1 POWELL, WASHINGTON (UPI-82)
MISS HUFF, 25, IS A $19,000-A-YEAR MEMBER OF POWELL'S PERSONAL STAFF. SHE IS A FORMER MISS OHIO BEAUTY CONTEST WINNER. A HOUSE SUBCOMMITTEE WHICH LAST YEAR INVESTIGATED POWELL'S CHAIRMANSHIP OF THE EDUCATION AND LABOR COMMITTEE SAID TESTIMONY INDICATED THAT SHE AND POWELL TOOK MANY TRIPS UNDER ASSUMED NAMES AND CHARGED THEM TO THE COMMITTEE'S AIRLINE CREDIT ACCOUNT.
THE SUBCOMMITTEE SUGGESTED THAT THEY FOLLOWED THIS PROCEDURE TO PREVENT QUESTIONS BEING ASKED ABOUT THE OFFICIAL NATURE OF THE TRIPS.
THE SUBCOMMITTEE ISSUED A SUBPOENA FOR MISS HUFF BUT BECAUSE SHE WAS ON BIMINI IT COULD NEVER BE SERVED.
MRS. POWELL HAD BEEN A MEMBER ALSO OF POWELL'S CONGRESSIONAL STAFF -- AT $20,578 ANNUALLY -- UNTIL THE ADMINISTRATION COMMITTEE ORDERED HER FIRED. IT SAID HER EMPLOYMENT VIOLATED A LAW WHICH REQUIRES EMPLOYES TO WORK EITHER IN WASHINGTON OR THEIR MEMBER'S HOME STATE.
A U.S. MARSHAL MANAGED TO SERVE MRS. POWELL WITH A SUBPOENA BUT SHE NEVER APPEARED BEFORE THE GROUP. SHE SENT WIRES CLAIMING THAT SHE DID NOT HAVE TIME TO MAKE ARRANGEMENTS FOR THE CARE OF HER FOUR-YEAR-OLD SON.
THROUGH THE INVESTIGATION, HOWEVER, IT WAS REVEALED THAT MRS. POWELL, WITH HER CONSENT, DID NOT RECEIVE MOST OF THE PAYCHECKS MADE OUT TO HER, AND THAT INSTEAD THEY WENT INTO THE BANK ACCOUNT OF HER HUSBAND. THE COUPLE IS SEPARATED.
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0-19 (Rev. 12-9-66)

POWELL DEFIES HOUSE PROBERS

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The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York) 1
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New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date FEB 9 1967

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MARKED FILE AND INITIALED

By PAUL HEALY and ANN WOOD

Washington, Feb. 8 (NEWS Bureau)—Rep. Adam Clayton Powell (D-N.Y.) created turmoil today at the first hearing on his fitness to be seated in the House. He defiantly refused to answer any questions about his alleged misconduct in office.

Powell, flanked by seven attorneys, said that the Constitution forbids the select investigation committee to ask him about any qualifications to be a Congressman other than his "age, inhabitancy or citizenship."

Powell replied to questions about these conditions. But he was silent when the probers edged into other matters, on the ground that they were "illegal and unlawful."

Chairman Emanuel Celler (D-N. Y.) finally concluded: "It is useless to continue." He recessed the hearings until some time next week, when other witnesses will be heard. First Celler rejected nearly all the points in a barrage of motions to clear Powell. They were thrown up by his team of lawyers, working in relays.

However, Celler assured him, in reference to other requests by his lawyers, that nine-member committee would "make every effort to have a fair hearing" and would even grant him "rights beyond ordinary witnesses."

At the same time, Celler warned that "the committee has no alternative but to draw inferences" both from the stand Powell took today and "from other sources."

A Sharp Gavel

Celler then gave him a last chance to reconsider, but Powell, puffing on a cigar, blithely declined.

Celler, who had to use his gavel hard and often, also told Powell and his lawyers that despite thier jurisdiction challenge, the committee feels it has wide authority to investigate him under the resolution passed by the House on the opening day of Congress.

The House had refused to seat Powel pending a report by the special panel after examining his qualifications—including the fact that he is in contempt of court in New York in connection with a libel judgment.

Balked on Statement

The questions Powell refused ot answer today dealt with charges brought by a previous investigating subcommittee that he was guilty of "deceptive practices," such as free spending of the taxpayers' money on trips to the Bahamas and other pleasure spots.

Balked at his request to end the session with a prepared, parting statement, Powell strode into the corridor and faced a nest of radio and television microphones.

Defines the Issue

He read the statement in soft, resonant tones as newsmen tried to catch his words above the heckling of the pryes by a squa of his angry female disciples.

"Tell them how it is!" some kept chanting.

"I wish to make it clear," Powell said, "that the issue before the committee is not and never has been the individual fate of Adam Clayton Powell. In truth, it is not I who appear before you today, but rather the people of Harlem whom I represent."

He said his constituents were "asking no more and no less than what the Constitution guarantees to all Americans — the fundamental and inalienable right to representation in the halls of Congress."

"In times of stress men are singled out because they're different," Powell continued bitterly. "Difference is threatening."

Pilloried, Says Powell

As his supporters called out: "Hear! Hear!" Powell complained that he was being "pilloried" and asserted that the probers "broke their word" in refusing to let him make his statement.

(Celler had explained that Powell could make a statement at the end of the hearings after all the testimony was taken.)

"It's not Adam Clayton Powell on trial," Powell wound up. "It's the United States of America."

As the hearing began, Powell moved jauntily into the packed committee room after his battery of legal experts were already seated at the witness table. He waved gaily to some of the committee members.

Sitting immediately on his right was Mrs. Jean Cahn, a law professor at Howard University here. On Mrs. Cahn's right was Arthur Kinoy, a Rutgers law professor who had been forcibly ejected from the Vietnik hearings before the House Un-American Activities Committee last summer.

The other five lawyers at the table were Hubert T. Delany, William M. Kunstler, Herbert Reid, Frank Reeves and Henry R. Williams.

They quickly made five motions which bore on the argument that the Constitution allows the House to refuse to seat a Representative-elect only if he does not qualify as to age, citizenship or residence in the state in which he was elected.

Celler said the committee would rule on the motions later. But the Powell attorneys vociferously objected. They said they would not let their client be sworn as a witness until the ruling was made.

Committee counsel William A. Geoghegan insisted that Powell stand and be sworn. Powell stayed in his chair as his lawyers exploded again.

"Will You Please Rise"

"Mr. Powell, will you please rise!" Celler said.

"Mr. Chairman," Powell answered casually and confidently, "I have come here voluntarily and asked for an open hearing. I cannot on advice of counsel proceed until the motions are heard."

"Let the record show," said Celler, "That Mr. Powell at this time has refused the oath."

With Powell still unsworn, Geoghegan went on to ask Powell about his name, age and residence — and Powell nonchalantly answered. But when the counsel asked if Powell had claimed any other place but New York State as a residence, he would not reply.

"That is irrelevant," Mrs. Cahn interjected.

Geoghegan then asked if Powell was pastor of the Abyssinian Baptist Church.

"Mr. Chairman," Kuntstler broke in, "we're going to have to withdraw."

Asked why, Reid said Powell should not testify further until the motions had been ruled on and an "order of procedure" established.

Celler thereupon declared a 45-minute recess, and the probers went into a closed session.

When the hearing resumed, Celler rejected the motions.

Some Requests Granted

However, he said, the committee would grant Powell's requests to call his own witnesses, to be present at any session where testimony was taken and to obtain copies of the transcripts of the hearings.

Mrs. Cahn then told Celler they were ready to proceed, but under protest and asked the committee to confine its questions to age, inhabitancy and citizenship. Powell was then sworn in by Celler.

Under questioning, Powell gave his residence as "120 W. 138th St., Apt. 5-D." He said he had resided in New York City since he was 6 months old and had no other addresses "that I can remember." He said he had been "full pastor" of his church since 1938.

Powell couldn't recall for the committee exactly when he had last slept overnight in New York but assured them, amid some smiling, that he gets back there "always on Sunday."

Harlem Rep. Adam Clayton Powell, who is seldom at a loss for words, keeps his mouth shut, but signals that he figures he's doing okay, as he leaves hearing of special House committee which is ex- in Congress. Queried by Brooklyn's Emanuel Cellar in Washington yesterday, Adam refused to give anything but his "age, inhabitancy or citizenship." Cellar then recessed the hearings until some time next week, saying: "It's useless to continue." Then Adam found a thing or two to tell a press conference.

Rep. Adam Clayton Powell sits at witness table at start of hearing. (UPI Telefoto)

-19 (Rev. 12-9-66)

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INQUIRY PRESSED

Powell's Wife Subpoenaed

By ROBERT K. WALSH
Staff Writer

The House committee investigating Rep. Adam Clayton Powell issued subpoenaes today for his estranged wife and for Miss Corinne Huff, an employe of his congressional office, to testify here Tuesday.

The committee also announced that it would "re-invite" the Harlem Democrat to that scheduled public hearing.

Chairman Emanuel Celler, D-N.Y., said Powell would have an opportunity to testify or to comment on other testimony and evidence obtained by the committee.

At an abortive session yesterday, Powell refused to answer questions except those related to age, citizenship and residence qualifications listed in constitutional provisions for membership in the House.

Celler and other members of the special committee of five Democrats and four Republicans said they do not know whether Powell will appear. They were also uncertain whether they would be able to serve subpoenaes on Mrs. Yvette Flores Powell, who lives in Puerto Rico, and Miss Huff, who in recent months has been in Bimini, where Powell has a vacation residence.

Mrs. Powell failed to appear after being subpoenaed last December by a House administration subcommittee which investigated some complaints about Powell's practices as a congressman and as chairman of the Education and Labor Committee.

On recommendation of that subcommittee, Mrs. Powell was removed from her husband's congressional office payroll where she had been listed as receiving a $20,700-a-year salary.

The subcommittee was unable to serve a subpoena on Miss Huff because Bimini is in the Bahama Islands, a British possession. Evidence obtained by the subcommittee indicated that Miss Huff was among several of Powell's employes who made trips on airline credit cards apparently on unofficial business in some instances.

Will Press Inquiry

In the wake of Powell's refusal yesterday to answer questions about his conduct as a congressman, Celler told reporters that the committee intended to continue investigating him "from stem to stern."

After a two-hour closed meeting today, Celler announced that the committee will go full steam ahead with open hearings practically every day next week. He added that the committee hopes to complete its investigation and submit findings and recommendations to the House by the Feb. 23 deadline set in a resolution passed by the House Jan. 10.

More Witnesses Due

There will be several other witnesses even if Powell, Mrs. Powell and Miss Huff do not appear, Celler said.

He said subpoenaes were being issued for a General Accounting Office representative and for officials of airlines.

He explained that the GAO witness will provide information about travel and expense vouchers and also "what happened to certain funds" listed as having been spent out of Education and Labor Committee accounts.

The airline representatives, Celler said, will be asked to give the committee information about credit cards and various travel records, presumably involving employes of Powell's office or the Education and Labor Committee.

Celler added that his committee expected to go over more ground than did the House Administration subcommittee headed by Rep. Wayne L. Hays, D-Ohio.

As for the decision to "re-invite" Powell, Celler said there will be no repetition of the arguments involved in a legal brief and five motions submitted to the committee by Powell's attorneys. Celler said the committee has ruled against those motions and against the briefs' basic contention that the investigation of Powell could not go beyond the constitutional qualifications of age, citizenship and residence.

Celler said, however, that Powell could be accompanied by a lawyer who would be permitted only to advise him about his constitutional rights.

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The Washington Daily News
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The Sunday Star (Washington) C
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The Wall Street Journal
The National Observer
People's World

Date FEB 9 1967

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CORRINE HUFF

MRS. YVETTE POWELL

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Adam Clayton Powell

UPI-100

ADD POWELL, WASHINGTON

CELLER SAID THE COMMITTEE ALSO EXPECTED ON TUESDAY TO HEAR FROM A REPRESENTATIVE OF THE GENERAL ACCOUNTING OFFICE (GAO) AND A LEGAL EXPERT. THE GAO WITNESS WILL TESTIFY ON THE TRAVEL RECORDS OF THE EDUCATION AND LABOR COMMITTEE. THE LEGAL EXPERT, ACCORDING TO CELLER, WILL INFORM THE COMMITTEE ABOUT THE "NUANCES" OF THE CRIMINAL AND CIVIL CONTEMPT OF COURT CITATIONS OUTSTANDING AGAINST POWELL FOR HIS FAILURE TO SETTLE A LIBEL SUIT.

A SUBPOENA WAS ALSO ISSUED TO THE CHALK FLYING SERVICE, WHICH OPERATES AIRPLANES BETWEEN MIAMI AND BIMINI.

MOORE, THE RANKING REPUBLICAN, SAID THE COMMITTEE WANTED TO QUESTION MISS HUFF ABOUT THE CONCLUSIONS REACHED IN LAST YEAR'S INVESTIGATIONS "AND SOME OTHER MATTERS." CELLER SAID HIS PANEL WAS "EXPANDING" THE AREA PROBED BY THE FIRST INVESTIGATION.

THE NEW YORK DEMOCRAT SAID THAT BECAUSE THE COMMITTEE HAD TO REPORT BACK TO THE HOUSE WITH RECOMMENDATIONS BY FEB. 23, IT WOULD MEET PRACTICALLY ALL DURING NEXT WEEK.

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Mrs. James Makes a Record in Answer to Powell's

Cover of new album responds to Adam Clayton Powell's record, "Keep the Faith, Baby"

The 70-year-old woman who has been suing Representative Adam Clayton Powell for six and a half years became a recording star yesterday in an album called "No Man Is Above the Law—I Have Kept the Faith."

The long-playing record was released 16 days after Mr. Powell came out with a record called "Keep the Faith, Baby."

While Mr. Powell's $4.79 album offers a group called "Adam's Disciples" singing spirituals, Mrs. James is aided by a calypso combo dubbed "Lord Faith and the James Men." Her record, manufactured and distributed by the Impulse Distributing Corporation, sells for $3.98.

Mr. Powell, who is the subject of a select House committee investigation into his qualifications to sit in Congress, has said that he made the record to pay off a defamation of character judgment he owes Mrs. James, whom he had called a "bag woman," or graft collector.

Mrs. James' lawyer, Raymond Rubin, said that his client was making her record to make money for herself.

In a news conference in his office at the corner of Broadway and Reade Street, Mr. Rubin displayed the record and said that Mrs. James had been guaranteed a minimum royalty of 15 cents a record. She has received an advance of $1,500, the lawyer said.

While Mr. Powell's record of six sermons had a bitter, but philosophical tone, Mrs. James limited herself on one side of the record to an account of her troubles, which she attributes to her law suits against Mr. Powell.

In a strong West Indian accent, she discusses her background and her life in Harlem in the last several years including an attempt on her life and an incident in which she was standing near a small-time gambler who was shot to death.

The other side of the record contains five calypso songs criticizing Mr. Powell and extolling Mrs. James, a widow who is now living near her birthplace in Montego Bay, Jamaica, B.W.I.

One of the songs, entitled "Hold the Dough," starts "Once was a lady named Esther James—a guy called Adam called her nasty names—judge said to pay but he came up short—now he's got himself a contempt of court."

The other songs are "Adam Smart, Esther Smarter"; My Esther; "Harlem Farewell" and "Bimini Boat Song."

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The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
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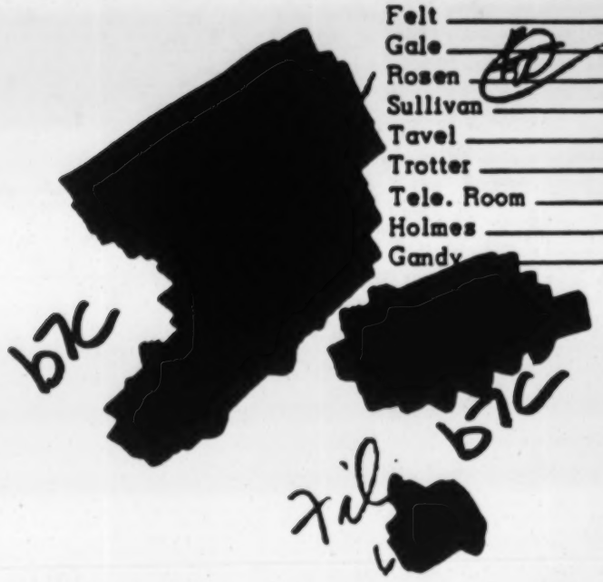

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UPI-14
(POWELL)

DETROIT--NEGRO LEADERS PROTESTING THE OUSTER OF REP. ADAM CLAYTON POWELL CALLED THE NATION'S FIRST GENERAL STRIKE BY NEGROES TODAY. BUT EARLY REPORTS INDICATED IT WAS A FLOP.

THE BIG THREE AUTO COMPANIES, BY FAR DETROIT'S LARGEST EMPLOYERS OF NEGROES, REPORTED NORMAL WORK ATTENDANCE AT ALL DETROIT AREA FACTORIES TODAY.

GENERAL MOTORS, THE BIGGEST OF ALL, SAID IT HAD LESS THAN NORMAL ABSENTEEISM AT ITS DETROIT AREA FACTORIES. CHRYSLER CORP., WHICH EMPLOYS MORE NEGROES IN DETROIT THAN ANY OTHER COMPANY, REPORTED NORMAL WORK ATTENDANCE. SO DID FORD MOTOR CO.

A UPI RANDOM CHECK OF DOWNTOWN BUS AND PEDESTRIAN TRAFFIC INDICATED NORMAL NUMBERS OF NEGROES ENROUTE TO WORK.

THE PLAN, DEVISED AFTER A CIVIL RIGHTS MEETING WHICH FEATURED BLACK POWER SPOKESMAN STOKELY CARMICHAEL, APPEARED NOT TO HAVE SPREAD MUCH BEYOND MICHIGAN, IF BEYOND THE CITY OF DETROIT.

MOST CIVIL RIGHTS LEADERS OPPOSED IT.

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Powell Aide Subpoenaed By Probers

By ROBERT WALSH
Star Staff Writer

The House committee investigating Rep. Adam Clayton Powell tried unsuccessfully today to serve a subpoena on Mrs. Emma Swann, a former congressional employe, for questioning about apparently unofficial trips at the expense of the House Education and Labor Committee.

The committee announced, meanwhile, that a subpoena has been served on Miss Corrine Huff, Powell's congressional office secretary, on Bimini in the Bahama Islands.

Members said they still were uncertain whether she or Powell's estranged wife, Mrs. Yvette Flores Powell of Puerto Rico, would appear when public hearings resume tomorrow.

The committee reported that a subpoena issued for Mrs. Powell last week has not been served, presumably because she has to be located.

The panel wants to ask Mrs. Swann about testimony she gave to a House Administration subcommittee that as a receptionist for the Education and Labor Committee, then headed by Powell, she visited Miami last year on airline credit cards of the committee.

She told the subcommittee that the trips were mainly for shopping and sightseeing and included no committee business.

Mrs. Swann was among several employes not rehired by the Education and Labor Committee or the new congress.

A former aide to Powell, C. Sumner Stone, who recently was dropped from the Education and Labor Committee payroll, attended a closed meeting of the investigating group today to say that he would be available for questioning at tomorrow's hearing.

Members said later that they had not decided whether he will be questioned.

CORRINE HUFF

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The Washington Post and Times Herald
The Washington Daily News
The Washington Evening Star A-2
New York Daily News
New York Herald Tribune
New York Post
The New York Times
New York World Journal
New York World Journal Tribune
The Baltimore Sun
The Worker
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The National Observer
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UPI-127
(POWELL)
WASHINGTON--A SPECIAL CONGRESSIONAL PANEL SITTING IN JUDGMENT OF ADAM CLAYTON POWELL TODAY BEGAN FRAMING POSSIBLE STEPS TO BE TAKEN AGAINST THE HARLEM DEMOCRAT--INCLUDING ONE THAT WOULD DOCK HIS PAY.

STAFF MEMBERS OF THE COMMITTEE WORKED THROUGH THE DAY SETTING UP WHAT ITS SENIOR REPUBLICAN MEMBER CALLED "A ROAD MAP OF POSSIBLE ROUTES WE CAN TAKE."

REP. ARCH MOORE OF WEST VIRGINIA SAID AFTER A CLOSED SESSION THURSDAY AFTERNOON THAT STARTING MONDAY THE NINE CONGRESSMEN WOULD CONSIDER THE VARIOUS ALTERNATIVES AND ATTEMPT TO KNOCK THEM DOWN.

THE ONE LEFT STANDING, HE IMPLIED, WOULD REPRESENT THE COMMITTEE'S FINAL DECISION.

BY NEXT THURSDAY THE COMMITTEE MUST RECOMMEND TO THE HOUSE AMONG OTHER THINGS WHETHER POWELL SHOULD BE SEATED. ON JAN. 10, THE OPENING DAY OF THE 90TH CONGRESS, HE WAS BLOCKED FROM TAKING HIS OATH OF OFFICE PENDING AN INVESTIGATION.

THE INVESTIGATION ENDED THURSDAY WITH TESTIMONY FROM POWELL'S ESTRANGED WIFE YVETTE. COMMITTEE CHAIRMAN EMANUEL CELLER, D-N.Y., SAID THAT WHAT MRS. POWELL TOLD THE COMMITTEE WAS "DAMAGING" TO HER HUSBAND.

THE PUERTO RICAN-BASED MRS. POWELL SAID SHE DID NO WORK DURING THE LAST 18 MONTHS THAT SHE WAS A $20,578-A-YEAR MEMBER OF HER HUSBAND'S PERSONAL STAFF. SHE ALSO SAID SHE RECEIVED ONLY TWO PAY CHECKS AND THAT THE REST WERE ENDORSED BY SOMEONE WITHOUT HER PERMISSION.

MRS. POWELL CONCLUDED, HOWEVER, BY PLEADING WITH THE COMMITTEE TO ALLOW HER HUSBAND TO CONTINUE TO SERVE IN CONGRESS.

IT'S ONLY IN THE IDEA STAGE NOW, BUT AT LEAST ONE MEMBER OF THE COMMITTEE IS KNOWN TO BE READY TO PROPOSE TO THE COMMITTEE THAT IF POWELL IS SEATED HIS $30,000 ANNUAL SALARY BE DOCKED TO REIMBURSE THE GOVERNMENT FOR ALLEGED PAYROLL AND TRAVEL ABUSES.

IT WAS OBVIOUS THAT THE COMMITTEE MEMBERS'S PERSONAL VIEWS OF POWELL SUNK BELOW WHAT THEY HAD BEEN AFTER HEARING MRS. POWELL TELL HOW SHE VIRTUALLY BEGGED HER HUSBAND TO LET HER AND THEIR SON COME TO WASHINGTON.

BUT SEVERAL MEMBERS STILL HAD DOUBTS ABOUT THE LEGALITY OF DENYING POWELL HIS SEAT IF HE CAN MEET THE THREE CONSTITUTIONAL QUALIFICATIONS FOR HOUSE MEMBERSHIP--AGE CITIZENSHIP AND RESIDENCE.

THERE ARE FEWER CONSTITUTIONAL RESERVATIONS ABOUT EXPELLING POWELL BUT THIS WOULD TAKE A TWO-THIRDS VOTE AS COMPARED TO A MAJORITY VOTE TO SIMPLY DENY HIM HIS SEAT.

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Adam Clayton

UPI-93

ADD 8 ~~POWELL, WASH~~INGTON JR

CELLER SAID THE QUESTION OF SALARY "KICKBACK" FROM A MEMBER'S EMPLOYE TO THE MEMBER HIMSELF -- AN OFFENSE THAT IN TIMES PAST HAS GOT SOME LAWMAKERS IN TROUBLE -- WAS NOT INVOLVED AS BETWEEN HUSBAND AND WIFE. IT IS NOT UNCOMMON FOR MEMBERS OF CONGRESS TO EMPLOY THEIR WIVES. A CO-MINGLING OF THEIR SALARIES, CELLER INDICATED, WOULD NOT CONSTITUTE ANY "KICKBACK" TO THE CONGRESSMAN.

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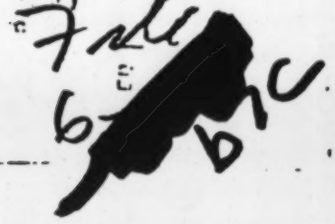

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UPI-83 Adam Clayton

ADD 2 POWELL, WASHINGTON

AN INVESTIGATOR SUGGESTED THAT MANY OF POWELL'S "OFFICIAL" TRIPS TO MIAMI WERE REALLY PERSONAL JAUNTS TO HIS VACATION RETREAT ON THE ISLAND OF BIMINI.

THE INVESTIGATOR, ROBERT GRAY OF THE GENERAL ACCOUNTING OFFICE, OFFERED THAT CONCLUSION AFTER SUBMITTING DETAILED RECORDS OF TRAVEL BY POWELL AND SOME OF HIS ASSOCIATES.

GRAY ANSWERED "YES" WHEN ASKED BY A COMMITTEE COUNSEL WHETHER IT APPEARED THAT A GREAT DEAL OF THE TRAVEL HE AUDITED WAS FOR "PERSONAL REASONS."

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UPI-85
ADD 3 POWELL, WASHINGTON
GRAY HAD PERFORMED A SIMILAR AUDIT FOR A HOUSE SUBCOMMITTEE HEADED BY REP. WAYNE HAYS, D-OHIO, WHICH LATE LAST YEAR INVESTIGATED POWELL'S CHAIRMANSHIP OF THE HOUSE EDUCATION AND LABOR COMMITTEE DURING THE 89TH CONGRESS.
POWELL LOST HIS CHAIRMANSHIP AND AT THE START OF THE 90TH CONGRESS WAS BARRED--PENDING THE CURRENT INVESTIGATION--FROM HIS SEAT.
THE HAYS SUBCOMMITTEE, NOTING THE MANY TRIPS BETWEEN MIAMI AND WASHINGTON CHARGED TO THE COMMITTEE, AND OFTEN ASSUMED NAMES, SAID TESTIMONY INDICATED POWELL AND MEMBERS OF HIS STAFF MAY HAVE BEEN CHARGING THE TAXPAYER FOR PERSONAL TRAVEL.
TODAY GRAY WENT ONE STEP FURTHER. HE PRESENTED AN ANALYSIS OF 16 COMMITTEE TRIPS IN 1965-66 FROM WASHINGTON TO MIAMI AND THEN COMPARED THEM TO TRAVEL MADE BY COMMITTEE MEMBERS ON THE SAME DATES FROM MIAMI TO THE BRITISH POSSESSION OF BIMINI IN THE CARIBBEAN.
"THERE WAS PRACTICALLY NO TIME LAPSE BETWEEN THE TIME THE TRAVELER ARRIVED IN MIAMI AND TRAVELED TO BIMINI," HE SAID. "I WOULD SAY IT APPEARS NO OFFICIAL BUSINESS WAS CONDUCTED AT THIS TIME."
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Adam Clayton Powell Jr.

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UPI-107
ADD 8 POWELL, WASHINGTON
FRANKLIN, CHIEF STOCKHOLDER AND A PILOT ON THE FLYING BOAT SERVICE THAT HAULS PASSENGERS AND FREIGHT THE 60 MILES OR SO BACK AND FORTH FROM MIAMI TO BIMINI, SUPPLIED THE COMMITTEE WITH FLIGHT MANIFESTS SHOWING HE HAD HAULED POWELL AND ASSORTED AIDES TO BIMINI AND RETURN AT TIMES WHEN, ACCORDING TO TESTIMONY DEVELOPED EARLIER BY ANOTHER COMMITTEE, THEY HAD CHARGED THE EDUCATION AND LABOR COMMITTEE FOR OFFICIAL TRAVEL FROM WASHINGTON TO MIAMI. SOME OF THESE COSTS WERE REIMBURSED LATER BY POWELL. THE COMMITTEE NEVER GOT A TOTAL ON HOW MUCH WAS CHARGED, OR HOW MUCH LATER WAS REIMBURSED.
FRANKLIN SAID HE WAS PAID IN CASH FOR PASSENGERS HAULED ON THE MIAMI-BIMINI RUN BUT THAT WHEN HE CARRIED FREIGHT AND MAIL FOR POWELL AND HIS PARTY, IT WAS USUALLY CONSIGNED TO THE POWELL YACHT, "ADAM'S FANCY," AND WAS CHARGED TO HUFF ENTERPRISES.
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Adam Clayton Powell Jr

UPI-37 (Add 1 POWELL, WASHINGTON - UPI-35

AND HE DECLINED TO SEE YOU? "YES", THAT'S RIGHT."

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MRS. POWELL, A THIRTISH-LOOKING WOMAN WITH STREAKS OF GRAY IN HER DARK HAIR, APPEARED NERVOUS AT THE START OF HER TESTIMONY. HER SMALL HAND TREMBLED AS SHE HELD IT TO TAKE HER OATH.

SHE WAS ACCOMPANIED BY TWO ATTORNEYS, A PUERTO RICAN LAWYER NAMED RENALDO PANIAGUA AND JOSEPH L. RAUH JR., A NOTED WASHINGTON DC ATTORNEY AND PROMINENT LOCAL DEMOCRAT.

COMMITTEE CHAIRMAN EMANUEL CELLAR (D-N.Y.) ASKED IF MRS. POWELL WISHED TO AFFORD HERSELF OF THE OPPORTUNITY TO GIVE HER TESTIMONY IN CLOSED SESSION. RAUH SAID SHE DID NOT.

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-41
ADD 2 POWELL, WASHINGTON
UNDER QUESTIONING BY GEOGHAN, MRS. POWELL TOLD THE FOLLOWING STORY:
SHE JOINED POWELL'S STAFF AS A SECRETARY IN 1958. TWO YEARS LATER SHE MARRIED THE BOSS. FOR ONE YEAR SHE CONTINUED TO WORK IN THE OFFICE AS THE COUPLE MADE THEIR HOME IN WASHINGTON. THEY RETURNED TO HER NATIVE PUERTO RICO FOR A VISIT IN 1961. SHE HAD BECOME PREGNANT AND HER DOCTOR ORDERED HER TO REMAIN THERE.
MRS. POWELL SAID THAT SHE CONTINUED TO PERFORM SERVICES FOR HER HUSBAND FROM PUERTO RICO, PRIMARILY BY TRANSLATING AND REPLYING TO LETTERS WRITTEN IN SPANISH BY POWELL'S MANY PUERTO RICAN CONSTITUENTS LIVING IN HARLEM.
SHE SAID SHE SPENT ABOUT FIVE OR SIX HOURS A DAY ON THIS TYPE OF WORK.
"DID IT CONTINUE AT THAT LEVEL DURING THE 88TH CONGRESS, WHICH BEGAN IN JAN. 1963?" GEOGHAN ASKED.
"YES. IT CONTINUED, BUT THEN I STARTED TO RECEIVE LESS WORK FROM HIS OFFICE IN WASHINGTON," MRS. POWELL REPLIED.
"WHAT LEVEL DID IT REACH THEN?" THE COUNSEL CONTINUED.
"TO ABOUT TWO HOURS A DAY."
"DID IT FINALLY TRICKLE OFF TO NOTHING?"
"YES, IN THE SUMMER OF 1965."
MRS. POWELL'S TESTIMONY ABOUT THE AMOUNT OF WORK SHE PERFORMED WAS THE FIRST DIRECT INFORMATION CONGRESSIONAL INVESTIGATORS HAD RECEIVED ON THE SUBJECT. SHE HAD ALREADY MADE KNOWN THAT SHE HAD NOT RECEIVED PAYCHECKS.
SHE DID THIS THROUGH AN INTERVIEW WITH A SECRET SERVICE AGENT WHO VISITED HER LAST YEAR AND WHO FILED A REPORT WITH A HOUSE SUBCOMMITTEE. THE AGENT ASKED MRS. POWELL IF SHE WISHED TO TAKE ANY ACTION TO RECOVER THE SALARY SHE NEVER RECEIVED BUT SHE DECLINED TO DO SO.:
UNTIL NOVEMBER OF 1966 THE HOUSE CLERK HAD BEEN SENDING HER CHECK TO POWELL'S WASHINGTON OFFICE. HE DID SO IN ACCORDANCE WITH A WRITTEN REQUEST OF MRS. POWELL. IN NOVEMBER OF 1966 SHE NOTIFIED THE CLERK TO START SENDING HER CHECKS TO HER DIRECTLY IN PUERTO RICO.
SHE GOT ONLY TWO OF THEM, HOWEVER, BEFORE SHE WAS FIRED.
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UP1-33

ADD 3 POWELL, WASHINGTON

BUT MRS. POWELL SAID HER HUSBAND IN THE PAST TWO YEARS SENT HER CHECKS TOTALLING $6,850, FOR SUPPORT OF HERSELF AND HER SON; PAID RENT OF ABOUT $200 A MONTH ON THE PUERTO RICAN HOME THEY BUILT AND ORIGINALLY OWNED THEMSELVES BUT LATER SOLD TO HER UNCLE; PAID HER UTILITY BILLS OF ABOUT $75 TO $80 MONTHLY, AND DEPOSITED TO HER WASHINGTON BANK ACCOUNT TWO OR THREE PAYMENTS OF $600 EACH.

THE FIGURE SHE GAVE APPEARED TOTOTAL ABOUT $15,000 FOR THE TWO-YEAR PERIOD. THE COMMITTEE DID NOT IMMEDIATELY DISCLOSE HOW MUCH HER CONGRESSIONAL PAY IN THAT PERIOD TOTALED. MOST RECENTLY, HER MONTHLY CHECKS AS A SECRETARY TO POWELL WERE AT THE RATE OF $20,578 YEARLY.

"WHAT DID YOU THINK WAS HAPPENING TO YOUR CONGRESSIONAL PAY?" SHE WAS ASKED. "I THOUGHT HE WAS GETTING IT OR SOMETHING," SHE REPLIED. "BUT I COULD NOT TELL FOR SURE. AFTER WE WERE MARRIED HE SAID HE WOULD TAKE CARE OF ALL THE FINANCES."

MRS. POWELL SAID THAT SHE JOINED POWELL'S CONGRESSIONAL STAFF IN 1958 AND DREW ALL HER OWN CHECKS UNTIL THEY WERE MARRIED IN DECEMBER, 1960. SHORTLY AFTER THAT, THE CHECKS STOPPED.

THE COMMITTEE SHOWED HER A STACK OF HER CANCELED PAY CHECKS FOR THE 1961-1966 PERIOD. SHE SAID THE SIGNATURES WERE NOT HERS. SHE SAID SHE THOUGHT SHE RECOGNIZED THE HANDWRITING BUT COULDN'T BE SURE.

2/16--GE1141A

WASHINGTON CAPITAL NEWS SERVICE

0-20 (Rev. 1-26-66)

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UPI-63

ADD 4 POWELL, WASHINGTON

MRS. POWELL SAID SHE HAD PERFORMED NO WORK DURING THE LAST 18 MONTHS SHE WAS EMPLOYED AS A $20,000-A-YEAR MEMBER OF HER ESTRANGED HUSBAND'S CONGRESSIONAL STAFF. BUT SHE PLEADED THAT HE BE GIVEN BACK HIS HOUSE SEAT.

"I KNOW MY TESTIMONY MAY BE INTERPRETED AS ADVERSE TO MY HUSBAND," SHE TOLD A SELECT COMMITTEE EXAMINING POWELL'S FITNESS TO SERVE. "I DID NOT INTEND IT THAT WAY.

"ALTHOUGH WE HAVE NOT SEEN EACH OTHER FOR SOME TIME, ADAM IS MY HUSBAND AND THE FATHER OF MY CHILD. IT IS MY FERVENT DESIRE THAT HE BE PERMITTED TO CONTINUE HIS CAREER IN THE SERVICE OF HIS COUNTRY."

IN A BRIEF STATEMENT DELIVERED AT THE END OF HER TESTIMONY, THE SOFT-SPOKEN MRS. POWELL TOLD THE COMMITTEE SHE KNEW IT WOULD BE FAIR IN ITS JUDGMENT.

"I HOPE YOUR REPORT WILL BE FAVORABLE," SHE CONCLUDED.

THE SPECIAL 9-MAN PANEL IS UNDER ORDERY TO RECOMMEND TO THE HOUSE BY FEB. 23 WHETHER THE CONTROVERSIAL HARLEM DEMOCRAT SHOULD BE RESTORED TO THE HOUSE SEAT FROM WHICH HE WAS OUSTED -- AT LEAST TEMPORARILY -- ON JAN. 10.

2/16--GE1206P

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UPI-70
ADD 5 POWELL, WASHINGTON
MRS. POWELL'S APPEARANCE WAS THE DRAMATIC HIGH POINT OF THE COMMITTEE'S INVESTIGATION. A JAM-PACKED BUT ABSOLUTELY SILENT AUDIENCE HEARD ALL OF HER SPANISH-ACCENTED AND SOFTLY-SPOKEN WORDS.
AN ATTRACTIVE PUERTO RICAN, WOMAN IN HER MID-THIRTIES, THE PUERTO RICAN BORN MRS. POWELL ANSWERED EVERY QUESTION PUT TO HER. THE COMMITTEE THANKED HER FOR HER COOPERATION.
MRS. POWELL IS THE 58-YEAR-OLD CONGRESSMAN-ELECT'S THIRD WIFE. SHE HAD BEEN WORKING FOR HIM FOR TWO YEARS IN WASHINGTON WHEN HE MARRIED HER IN 1960. IN 1961, SHE SAID, SHE RETURNED TO PUERTO RICO TO HAVE A BABY AND NEVER RETURNED. BUT SHE SAID SHE WORKED STEADILY FROM HER HOME THERE TRANSLATING CORRESPONDENCE FROM POWELL'S MANY SPANISH SPEAKING CONSTITUENTS IN HARLEM.
SHE ALSO TESTIFIED THAT ALL HER GOVERNMENT PAYCHECKS STOPPED COMING AFTER THEY WERE MARRIED AND THAT POWELL HAD TOLD HER "HE WOULD TAKE CARE OF ALL THE FINANCES."
2/16--JG1222P

WASHINGTON CAPITAL NEWS SERVICE

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UPI-52
ADD 1 POWELL, WASHINGTON (UPI-49)
CELLER SAID THE COMMITTEE WOULD TAKE POWELL'S LATEST LEGAL BRIEF "UNDER ADVISEMENT."
THE COMMITTEE THEN CALLED TO THE WITNESS CHAIR ONE OF ITS OWN INVESTIGATORS, WASHINGTON ATTORNEY RONALD GOLDFARB, TO TRACE THE HISTORY OF LEGAL DIFFICULTIES INTMWHICH POWELL WAS PLUNGED AFTER HIS 1963 CONVICTION IN A LIBEL COMPLAINT.
2/14--GE1102A

WASHINGTON CAPITAL NEWS SERVICE

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UPI-82 Adam Clayton Powell

ADD 6 POWELL, WASHINGTON

UNDER QUESTIONING BY REP. CLARK MACGREGOR, R-MINN., MRS. POWELL SAID SHE HAD NEVER GIVEN HER HUSBAND, OR ANYONE ELSE, ANY WRITTEN OR VERBAL PERMISSION TO ENDORSE HER CHECKS OR ANY FORM OF POWER OF ATTORNEY.

MEMBERS OF A SUBCOMMITTEE WHICH INVESTIGATED POWELL LAST YEAR HAD RECEIVED SIMILAR INFORMATION. THEY SAID PRIVATELY, HOWEVER, THAT BECAUSE OF THE HUSBAND-WIFE RELATIONSHIP, THEY DOUBTED WHETHER ANY LEGAL WRONGDOING WAS INVOLVED.

MEMBERS OF THE SELECT COMMITTEE WERE EXTREMELY SOLICITUOUS TO MRS. POWELL. REP. ARCH MOORE, R-W.VA., SAID HE REALIZED IT HAD BEEN A MOST "DIFFICULT EXPERIENCE" TO HAVE TO TESTIFY "UNDER SEVERE CIRCUMSTANCES ABOUT YOUR PERSONAL LIFE."

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WASHINGTON CAPITAL NEWS SERVICE

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Powell Probers Ask Levy of $40,000

House Seat And Censure Also Urged

Justice Dept. Asked To Consider Civil Or Criminal Action

By Richard L. Lyons
Washington Post Staff Writer

The House committee on Adam Clayton Powell denounced the Harlem Democrat yesterday for "gross misconduct" and recommended docking $40,000 from his salary.

It proposed that he be seated because he meets constitutional qualifications for membership. But coupled with this were proposals for the severest punishment inflicted on a member of Congress in this century.

Action Unprecedented

The $40,000 assessment against his salary—to recover public funds the committee said Powell put to private use—is unprecedented. In addition, the committee recommended that he be formally "censured and condemned" by the House, that he lose all seniority [illegible] his new office [illegible] the Rayburn building) and that his beauty-queen secretary and fishing companion, Corrine Huff, be fired from her $19,200-a-year job.

The committee sent the record of its inquiry to the Justice Department with an invitation that it consider criminal or civil action against Powell for illegally keeping his estranged wife on his payroll and for use of public funds to make fishing trips to the island of Bimini off the Florida coast.

The resolution, which the House will take up Wednesday, also declares that if Powell has not appeared to be sworn in by March 13, his seat shall be declared vacant and a new election held. The committee said that if Powell quits and runs for re-election the punishment would still apply if he became a member of this 90th Congress.

Recommendations Backed

Republican as well as Democratic leaders support the committee recommendations, and the resolution is expected to pass after a hot fight by members who want to expel Powell.

Powell's lawyers here would not comment on what he would do if the House adopts the recommendations. He could comply, quit or perhaps go to court.

All nine committee members signed the report, but two of them entered dissents on the form of the punishment.

Rep. Claude Pepper (D-Fla.) said he favored expulsion and would not say whether he would support the resolution on the House floor. "Anyone guilty of such moral turpitude and official misconduct should be expelled," said Pepper at a news conference where the committee officially announced its recommendations.

The Washington Post
Times Herald A1
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

TOP CLIPPING
DATED 2/24
FROM Wash. Post Times Herald
MARKED FILE AND INITIALED

Date FEB 24 1967

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First, Adam Clayton Powell has repeatedly ignored the decrees and authority of the courts in the State of New York in legal proceedings pending therein to which he is a party, and his contumacious conduct towards the New York courts has caused him on several occasions to be adjudicated in contempt thereof, thereby reflecting discredit upon and bringing into disrepute the House of Representatives and its members.

Second, as a member of this house, Adam Clayton Powell improperly maintained on his clerk-hire payroll Y. Marjorie Flores [Mrs. Adam Clayton Powell] from Aug. 14, 1964, to Dec. 31, 1966, during which period either she performed no official duties whatever or such duties were not performed in Washington, D. C., or New York, as required by law.

Third, as chairman of the Committee on Education and Labor, Adam Clayton Powell permitted and participated in improper expenditures of Government funds for private purposes.

Fourth, the refusal of Adam Clayton Powell to cooperate with the select committee and the special subcommittee on contracts of the House Administration Committee in lawful inquiries authorized by the House of Representatives was contemptuous and was conduct unworthy of a member.

Simultaneously with the filing of this report and the hearings in connection therewith, the select committee is forwarding copies of its hearings, records, and report to the Department of Justice for prompt and appropriate action, with the request that the House be kept advised in the matter.

This committee recommends that—

1. Adam Clayton Powell be permitted to take the oath and be seated as a member of the House of Representatives.

2. Adam Clayton Powell by reason of his gross misconduct be censured and condemned by the House of Representatives.

3. Adam Clayton Powell, as punishment, pay the Clerk of the House, to be disposed of by him according to law, $40,000; that the sergeant-at-arms of the House be directed to deduct $1,000 per month from the salary otherwise due Mr. Powell and pay the same to the clerk, said deductions to continue until sum of $40,000 is fully paid; and that said sums received by the clerk shall offset any civil liabilities of Mr. Powell to the United States of America with respect to the matters referred to in paragraphs second and third above.

4. The seat of Adam Clayton Powell in the House of Representatives commence as of the date he takes the oath as a member of the 90th Congress.

5. The House direct the Clerk of the House of Representatives to forthwith terminate salary payments to Corrine Huff, whose name appears on the clerk-hire payroll of Representative Adam Clayton Powell.

6. The House make a study in depth to determine whether or not existing procedural and substantive rules are adequate in cases involving charges of breach of public trust which have been lodged against any member.

7. The Committee on House Administration, which currently is undertaking a revision of its auditing procedures, be directed by the House to file annually a report of audit of expenditures by each committee of the House.

Respectfully submitted.

EMANUEL CELLER,
Chairman
JAMES C. CORMAN
CLAUDE PEPPER
JOHN CONYERS Jr.
ANDREW JACOBS Jr.
ARCH A. MOORE Jr.
CHARLES M. TEAGUE
CLARK MacGREGOR
VERNON W. THOMSON

It is to be noted that, as stated in the report, "Representative Pepper feels strongly that Mr. Powell should not be a member of the House." Representative Conyers believes that punishment of Mr. Powell beyond severe censure is improper. However, all members of the select committee have joined in signing the report. Mr. Conyers filed separate additional views.

Resolution

Whereas,

The select committee appointed pursuant to House Resolution 1 [90th Congress] has reached the following conclusions:

First, Adam Clayton Powell possesses the requisite qualifications of age, citizenship and inhabitancy for membership in the House of Representatives and holds a certificate of election from the State of New York.

all has repeatedly ignored the processes and authority of the courts in the State of New York in legal proceedings pending therein to which he is a party, and his contumacious conduct towards the court of that state has caused him on several occasions to be adjudicated in contempt thereof, thereby reflecting discredit upon and bringing into disrepute the House of Representatives and its members.

Third, as a member of this house, Adam Clayton Powell improperly maintained on his clerk-hire payroll Y. Marjorie Flores [Mrs. Adam C. Powell] from Aug. 14, 1964, to Dec. 31, 1966, during which period either she performed no official duties whatever or such duties were not performed in Washington, D. C., or the state of New York as required by law.

Fourth, as chairman of the Committee on Education and Labor, Adam Clayton Powell permitted and participated in improper expenditures of Government funds for private purposes.

Fifth, the refusal of Adam Clayton Powell to cooperate with the select committee and the special subcommittee on contracts of the House Administration Committee in their lawful inquiries authorized by the House of Representatives was contemptuous and was conduct unworthy of a member.

Now therefore be it resolved:

1. That the Speaker administer the oath of office to the said Adam Clayton Powell, member-elect from the 18th District of the State of New York.

2. That upon taking the oath as a member of the 90th Congress the said Adam Clayton Powell be brought to the bar of the House in the custody of the sergeant-at-arms of the House and be there publicly censured by the Speaker in the name of the House.

3. That Adam Clayton Powell, as punishment, pay to the Clerk of the House to be disposed of by him according to law, forty thousand dollars ($40,000.00). The sergeant-at-arms of the House is directed to deduct one thousand dollars ($1,000.00) per month from the salary otherwise due the said Adam Clayton Powell and pay the same to said clerk, said deductions to continue while any salary is due the said Adam Clayton Powell as a member of the House of Representatives until said forty thousand dollars ($40,000.00) is fully paid. Said sums received by the clerk shall offset to the extent thereof any liability of the said Adam Clayton Powell to the United States of America with respect to the matters referred to in the above paragraphs third and fourth of the preamble to this resolution.

4. That the seniority of the said Adam Clayton Powell in the House of Representatives commence as of the date he takes the oath as a member of the 90th Congress.

5. That if the said Adam Clayton Powell does not present himself to take the oath of office on or before March 13, 1967, the seat of the 18th District of the State of New York shall be deemed vacant and the Speaker shall notify the Governor of the State of New York of the existing vacancy.

0-20 (Rev. 1-28-66)

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UPI-49

(POWELL)

WASHINGTON--ADAM CLAYTON POWELL STUCK TO HIS POSITION TODAY THAT A SPECIAL COMMITTEE INVESTIGATING HIM HAS NO CONSTITUTIONAL RIGHT TO ASK HIM QUESTIONS ABOUT HIS PERSONAL CONDUCT.

POWELL'S DEFENSE WAS OUTLINED TO THE SELECT COMMITTEE BY SEVEN LAWYERS WORKING IN HIS BEHALF. HE DECLINED AN INVITATION TO APPEAR AT THE SECOND PUBLIC HEARING CONDUCTED BY THE PANEL WHICH IS CHARGED WITH RECOMMENDING BY FEB. 23 WHETHER THE HARLEM DEMOCRAT SHOULD BE SEATED IN CONGRESS.

ROBERT L. CARTER, ONE OF HIS ATTORNEYS, SAID POWELL DID NOT PLAN TO APPEAR UNDER THE PRESENT CIRCUMSTANCES. LAST WEEK HE TESTIFIED BUT REFUSED TO ANSWER ANY QUESTIONS EXCEPT THOSE DEALING WITH THE QUALIFICATIONS FOR MEMBERSHIP SET FORTH IN THE CONSTITUTION--AGE, CITIZENSHIP, AND RESIDENCE.

CARTER SUBMITTED A LETTER TO THE COMMITTEE FROM THE LAWYERS IN WHICH THEY SAID THEY HAD ADVISED POWELL THAT ANY OTHER QUESTIONS WERE STILL "OUTSIDE THE JURISDICTION OF THIS COMMITTEE."

THE ATTORNEYS' LETTER WAS IN RESPONSE TO ONE SENT BY COMMITTEE CHAIRMAN EMANUEL CELLER, D-N.Y., IN WHICH HE INVITED POWELL TO APPEAR AGAIN. CELLER SAID IN THE LETTER THAT POWELL MIGHT HAVE A CONSTITUTIONAL POINT AND THAT THE COMMITTEE WAS RESERVING A FINAL DECISION ON IT. BUT HE SAID THE COMMITTEE'S MANDATE TO INVESTIGATE ALSO INCLUDED THE AUTHORITY TO RECOMMEND PUNISHMENT OR EXPULSION AND THAT THE SECTION OF THE CONSTITUTION PERTAINING TO THESE TWO POINTS WAS MUCH BROADER THAN THE ONE ENNUMERATING THE QUALIFICATIONS FOR MEMBERSHIIP.

BUT POWELL'S LAWYERS DISAGREED.

"IT IS OUR CONTENTION THAT NEITHER THE COMMITTEE NOR THE CONGRESS CAN PURSUE AN INQUIRY INTO ITS POWER TO PUNISH OR EXPEL A MEMBER," THE LETTER SAID, "WITHOUT HAVING FIRST SETTLED THE THRESHOLD QUESTION OF THE CONGRESSMAN'S RIGHT TO A SEAT.

"MOREOVER, IT IS OUR CONSIDERED OPINION THAT THIS SELECT COMMITTEE CANNOT LEGALLY AND CONSTITUTIONALLY PURSUE THESE TWO OBJECTIVES SIMULTANEOUSLY."

THE POWELL LAWYERS CONCEDED THAT THE HOUSE HAD THE AUTHORITY TO PUNISH OR EXPEL POWELL. BUT THEY SAID ANY INQUIRY PRECEDING SUCH ACTION WOULD REQUIRE UNDER THE CONSTITUTION "THE MINIMAL PROTECTIONS OF THE DUE PROCESS OF LAW," SUCH AS A SPECIFICATION OF CHARGES AND THE RIGHT TO CONFRONT ACCUSERS.

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WASHINGTON CAPITAL NEWS SERVICE

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'Huff Enterprises' Paid Powell Bills, Probe Told

By ROBERT K. WALSH
Star Staff Writer

Huff Enterprises Ltd., having the same address as Rep. Adam Clayton Powell's congressional office here and involving his secretary, Miss Corrine Huff, figured prominently but sketchily today at a House committee hearing on the Harlem Democrat's activities.

The special committee heard testimony that bills for cargo for Powell's yacht, "Adam's Fancy," at Bimini in the Bahamas were mailed last year to Huff Enterprises for payment in accordance with written instructions from Miss Huff, who was identified as its head.

The committee's digging into the makeup and operations of that corporation slowed down temporarily, however. The New York manager of a London bank told the committee his company believed that the committee lacked jurisdiction to examine the bank's records in the Bahamas and determine whether Powell of Huff Enterprises deposited any money.

Two Fail to Appear

Neither Powell nor Miss Huff appeared at today's open session. The committee announced that Powell's estranged wife, Mrs. Yvette Flores Powell, sent word from Puerto Rico that she would respond to a subpoena and testify Thursday.

The committee did not indicate what action it might recommend against Miss Huff if she continues to fail to answer her subpoena. It was handed to her last week on Bimini by a representative of the United States Counsel in the Bahamas.

At the start of today's session Powell refused through his attorneys to attend the hearing. He insisted that the committee lacked power to investigate what it has described as complaints of "official misconduct" as a Congressman while chairman of the House Education and Labor Committee.

The committee received today from Robert Gray, a General Accounting Office auditor, a detailed analysis of numerous trips

See POWELL, Page A-6

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The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington) A-1
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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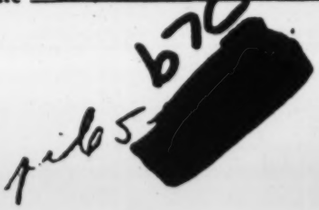

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by Powell and Education and Labor Committee employes on airline credit cards.

Gray said that a study of tickets and travel records between Miami and Bimini indicated that some of the trips were "not official and were for personal reasons."

He also said he had found several cases which "proved pretty conclusively" that people who made some trips were not employed by Congress.

Gene Franklin, owner of Chalk's Airline Service which operates between Miami and the Bahamas, was the first witness to mention Huff Enterprises, Ltd.

He testified that an Oct. 3, 1966, letter signed by Miss Huff, directed him to send bills for all cargo ordered for Powell's yacht to Huff Enterprises Ltd., 2161 Rayburn House Office Building here. That is the number of Powell's congressional office.

Franklin said some bills were sent directly to Powell. These were for such things as groceries and fishing bait, he explained.

Asked whether Powell paid the bills, Franklin replied: "I believe they were paid by check on Huff Enterprises. I don't believe Powell has ever paid personally."

Miss Huff, who is Powell's confidential secretary in his congressional office here, was listed on several airline tickets as having made trips with Powell to Miami and Bimini and elsewhere. Miss Huff at one time was a Miss Universe contestant from Ohio.

The committee qcestioned Dennis J. Ford, manager of New York branches of Barkley's Bank of London which also has one in the Bahamas.

Ford said the New York branches found no record of any deposit or other financial transaction by Powell or Huff Enterprises, Ltd. He added that he did not know records of the Bahamas branch contained any such information.

Ford said he was advised by his bank's lawyers that there was some question whether the house committee had jurisdiction to examine bank records outside of the United States.

Committee Chairman Emanuel Celler, D-N.Y., indicated that he believed his group had jurisdiction to request information about any financial transactions of Powell and [illegible] enterprises with banks in [illegible].

Excluding Ford temporarily as a witness, Celler told him: "I direct you to get the records in the Bahamas."

Rep. Arch A. Moore of West Virginia, ranking GOP member on the committee, told reporters that committee investigators have indicated that Prime Minister Lynden O. Pindling of the Bahama Islands is a stockholder in Huff Enterprises Ltd.

Moore said he understood that Miss Huff, C. Sumner Stone, and Odell Clark also have small shares in the company.

Stone has been an aide to Powell and was listed as a $25,000-a-year employe of the Education and Labor Committee. Clark has been that committee's chief investigator. Both Stone and Clark have been dropped from the committee staff.

Today's first witness was Ronald Goldfarb, a Washington lawyer who has made a special study of New York state contempt-ofcourt proceedings and has analyzed Powell's involvement in such orders during the last two years in New York.

Committee members showed particular interest in the present status of two criminal contempt judgments in addition to two civil contempt judgments outstanding against Powell. Those grew out of a defamation suit by Mrs. Esther James.

Members asked particularly about Powell's failure to appear in New York courts on numerous occasions last year in response to court orders and subpoenas. Goldfarb said he could only "speculate" on why Powell stayed away from New York.

He noted, however, that Powell on at least two occasions signed stipulations agreeing to appear in New York courts on specific dates but did not do so.

Goldfarb added that Powell also claimed congressional immunity on several specific dates including Jan. 7, 1966. The committee produced records showing that Congress last year did not convene until Jan. 10, and that Powell presumably was not entitled to an immunity claim.

The Celler committee has been unable to locate another subpoenaed witness, Mrs. Emma Swann. Until recently she was a receptionist in the Education and Labor Committee offices.

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The Washington Merry-Go-Round 811

Powell Accuser Had Long Police Record

By Drew Pearson and Jack Anderson

Having written a great deal that was critical about the extracurricular activities of Adam Clayton Powell, the Harlem globetrotter, it's only fair to balance the record.

It seems to us that Representative Powell was done an injustice in the libel suit brought by Mrs. Esther James of Harlem, in which she got a total judgment, with penalties, of $186,000. Of course some of this was Adam's fault, in that he was cavalier with the courts and refused to appear in reply to court summonses. But on the other hand, when you look at the background of Mrs. James, you can understand why he felt he had suffered a miscarriage of justice.

Mrs. James is now living in Montego Bay, Jamaica, and was not available to us for comment. When Walter Cronkite of CBS tried to interview her, his producer was informed by her attorney that it would cost $2500 if the interview was given when he was going to Montego Bay, and $5000 if given at an earlier date. CBS passed up this expensive opportunity. NBC did interview Mrs. James.

Mrs. James's Heritage

Mrs. James is a West Indian Negro who came to the United States during the Depression and gave four different birth dates to the Buffalo police—Dec. 25, 1903; Dec. 25, 1904; Dec. 25, 1905, and Jan. 4, 1896.

The dates were given during six brushes with the law which Mrs. James experienced while living in Buffalo. These arrests, which resulted in one fine and two suspended sentences, were not permitted by the judge to be introduced as evidence in the libel suit which Adam lost.

Most courts permits all evidence regarding a plaintiff's career to be placed before the jury. This is because when a plaintiff sues for libel it's important to see whether he or she has a good reputation and whether it has been really damaged.

However, Mrs. James's police record was ruled out.

We have confirmed the record from the Buffalo police. It shows that Mrs. James was first arrested Aug. 4, 1933, charged with second degree assault, which in New York is a felony. The incident took place in the yard of 188 Walnut st., where Mrs. James was engaged in a fight with Cleo Peterson. Harris Baker of 140 Walnut st., a neighbor, tried to stop the fight. Whereupon Mrs. James picked up a hammer and struck Baker on the head. A grand jury failed to indict.

On Sept. 1, 1933, Mrs. James was again charged with disorderly conduct. The police record shows no disposition of the case.

In 1937, on July 29, Mrs. James was charged with assault in the third degree and was given a suspended sentence. Earlier that month, July 21, she was arrested as a material witness but released.

On Sept. 13, 1937, she was again charged with assault in the third degree and again given a suspended sentence.

On Aug. 2, 1938, she was arrested for disorderly conduct and fined $10.

Who Scalped Esther?

The police record of the bureau of identification of the Buffalo police gives Mrs. Jame's photograph and fingerprints. Her name is listed as Estella James, with the following aliases: "Esta James, Esther James, Esthre James."

She also uses the name "Estella Rose Collemore," according to the New York City police department.

The Buffalo police record states under "scars and marks": "bald spot top head caused by hair pulled out."

Charles T. McKinney, who defended the case for Rep. Powell, was handicapped by the fact that his client, was as

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The Washington Post
Times Herald C-11
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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usual busy in Washington and elsewhere. He did not appear in his own defense. Juries are usually charged by the judge that the absence of the defendant cannot be held against him. Attorneys handling the Powell case could not remember whether Judge Thomas Aurielo so charged the jury.

McKenney at one point moved for a mistrial because a New York newspaper had published the fact that one juror had heard on television that Rep. Powell was going to attend the trial and the juror had announced this to the other jurors. When Powell did not appear, according to the newspaper account, the jurors showed visible signs of disappointment. Judge Aurielo overruled the motion for a mistrial.

McKinney states that he was rushed into trial by the trial judge without sufficient preparation, and that Judge Aurielo refused a postponement on the grounds that the trial judge had already set the case.

All of the above are matters which the congressional committee investigating Powell should check into. It has the power to subpoena records and require Mrs. James to return to the United States from Montego Bay.

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UPI-102 2/14

ADD 7 POWELL, WASHINGTON

SOME OF POWELL'S BILLS AT BIMINI WERE PAID BY A BAHAMA CORPORATION WITH A RAYBURN HOUSE OFFICE BUILDING ADDRESS, AN OVERSEAS BANK ACCOUNT, AND BAHAMA PRIME MINISTER LYNDEN PINDLING AMONG ITS LISTED STOCKHOLDERS, HOUSE INVESTIGATORS REPORTED.

THE CORPORATION WAS HUFF ENTERPRISES, LTD., AND REP. ARCH MOORE, R-W.VA., SAID INITIAL SHAREHOLDERS, BESIDES PINDLING, WERE AIDES TO POWELL, ON THE PAYROLL OF EITHER HIS CONGRESSIONAL OFFICE OR THE HOUSE EDUCATION AND LABOR COMMITTEE.

MOORE IS SENIOR REPUBLICAN ON THE COMMITTEE.

WHERE HUFF ENTERPRISES GETS ITS MONEY, AND WHAT ITS BUSINESS IS OTHER THAN HELPING SUPPORT POWELL'S FISHING BOAT AND VACATION RETREAT IN THE BAHAMAS, ARE MATTERS STILL UNDER EXPLORATION, THE COMMITTEE REPORTED.

HUFF ENTERPRISES APPARENTLY TAKES ITS NAME FROM CORINNE HUFF, 25-YEAR-OLD POWELL SECRETARY, TRAVELING COMPANION AND ONE-TIME BEAUTY CONTESTANT, WHO WAS LISTED IN TESTIMONY TODAY AS THE CORPORATION'S PRESIDENT.

MISS HUFF, WHO WAS SUBPENAED AT BIMINI SATURDAY FOR TESTIMONY TODAY, DID NOT RESPOND WHEN HER NAME WAS CALLED. CELLER SAID HE DOUBTED THAT SHE WOULD BE HELD IN CONTEMPT.

HUFF ENTERPRISES, ABOUT WHICH THERE HAS BEEN PRIOR SPECULATION, GOT INTO THE RECORD TODAY WITH TESTIMONY OF DEAN FRANKLIN, OWNER OF CHALK'S AIRLINE SERVING THE MIAMI TO BIMINI RUN. FRANKLIN SAID WHEN HE HAULED FOOD, BAIT, AND OTHER SUPPLIES TO THE POWELL OFFSHORE BAHAMA ISLAND RETREAT HE WAS TOLD TO BILL COSTS TO HUFF ENTERPRISES AT 2161 RAYBURN HOUSE OFFICE BUILDING, WHICH IS POWELL'S CONGRESSIONAL OFFICE.

HE SAID HE WAS PAID BY CHECKS SIGNED BY MISS HUFF AS COMPANY PRESIDENT AND DRAWN ON A BIMINI BANK. ALTHOUGH HE COULD NOT RECALL THE NAME OF THE BANK, THE COMMITTEE SUBPENAED THE NEW YORK MANAGER OF BARCLAY'S BANK, OF LONDON, TO ASK IF IT WASN'T HIS BANK'S BAHAMAS BRANCH THAT HANDLED THE HUFF ENTERPRISES ACCOUNT.

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WASHINGTON CAPITAL NEWS SERVICE

BANK SUBMANAGER DENNIS JOHN FORD DECLINED TO SAY ABOUT THIS, CONTENDING THE COMMITTEE'S SUBPENA DID NOT COVER HIS FIRM'S OPERATIONS OUTSIDE THE UNITED STATES. HE DID TESTIFY THAT NEITHER HUFF ENTERPRISES, NOR POWELL, HAD AN ACCOUNT WITH HIS BANK IN NEW YORK, AND SAID AS FAR AS HE COULD ASCERTAIN IN A QUICK CHECK NEITHER HAD USED THE BANK'S NEW YORK OFFICE TO DEPOSIT FUNDS IN THE FIRM'S BRANCHES IN OTHER COUNTRIES.

AS FOR LYNDEN PINDLING, THE NEWLY-ELECTED NEGRO PRIME MINISTER OF THE BAHAMAS, HE NEVER GOT INTO THE TESTIMONY AT ALL. MOORE SAID AFTER THE HEARING THE COMMITTEE INVESTIGATORS HAD ESTABLISHED HOWEVER THAT THE INITIAL INCORPORATORS OF HUFF ENTERPRISES -- IN THE BAHAMAS -- WERE, BESIDES PINDLING, MISS HUFF, C. SUMNER STONE, POWELL'S TOP ASSISTANT; EMMA SWANN, A FORMER COMMITTEE STAFFER; AND ODELL CLARK, FORMER CHIEF INVESTIGATOR FOR THE COMMITTEE.

MOORE SAID THE FIRM LISTED 17 SHARES, AT NOMINAL VALUES, OF WHICH MISS HUFF, STONE, AND MISS SWANN EACH HELD FIVE SHARES AND PINDLING AND CLARK ONE SHARE EACH.

MOORE NOTED THAT THIS INCORPORATION TOOK PLACE SOME TIME AGO. PINDLING ONLY RECENTLY BECAME THE NEW NATION'S PRIME MINISTER.

STONE, WHO WAS AMONG THOSE WAITING TO TESTIFY TODAY BUT WHO WAS NOT CALLED, SAID AFTERWARDS HE KNEW NOTHING ABOUT HUFF ENTERPRISES EXCEPT THAT ABOUT TWO YEARS AGO HE LENT THE USE OF HIS NAME TO HELP GET IT INCORPORATED. HE TOLD A REPORTER HE HAS HAD NO DEALINGS WITH THE FIRM.

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0-19 (Rev. 12-9-66)

Records Say Public Paid For Trips by Powell et Al

A-1

By Richard L. Lyons
Washington Post Staff Writer

Records indicate that Adam Clayton Powell and his beauty-queen secretary made at least 10 trips to Miami at public expense in the last two years en route to his fishing retreat on Bimini.

The information was put together by Government auditors from airline and immigration records and presented yesterday to the House committee investigating Powell's right to his House seat.

This came closer than previous inquiries to nailing down Powell's alleged use of [illegible] funds for private [illegible] which is a major issue in the dispute over his right to be seated.

The committee had less luck making sense out of Huff Enterprises, Ltd., a Bahamian corporation headed by Powell's secretary, Corrine Huff, involving Bahamian Premier Lynden O. Pindling, having American headquarters in Powell's congressional office and maybe or not bearing on his right to be seated.

There was considerable questioning but little information supplied about Huff Enterprises at yesterday's hearing. Miss Huff had been subpoenaed but remained at Bimini.

Dean Franklin, owner of Chalk's Flying Service, which carries passengers and freight between Miami and Bimini, said his company had been told to bill Huff Enterprises for servicing Powell's fishing boat and for supplies such as groceries and bait.

Dennis J. Ford, sub-manager of Barclay's Bank branches in New York, said he didn't know —and questioned whether the committee had jurisdiction to discover — whether Powell or Huff Enterprises had accounts at a Barclay's branch in the Bahamas.

Object of Inquiry

When the hearing ended, Chairman Emanuel Celler (D-N.Y.) was asked what Huff Enterprises is. "It's a corporation which we are trying to find out something about," said Celler.

Rep. Arch A. Moore Jr. (R-W.Va.) said Huff Enterprises was incorporated by four of Powell's assistants—Miss Huff, C. Sumner Stone, Emma Swann and Odell Clark — and by Pindling (while a Nassau lawyer before he became Premier).

Stone told newsmen Huff Enterprises is a "paper organization" that conducts no business that he knows of. He said Pindling, a friend of Powell, was an incorporator only because they needed one Bahamian citizen. Stone is vice president of the corporation, but said he has never known it do anything except pay a few bills.

The 10 fishing trips were pieced together this way: General Accounting Office auditors checked all plane tickets charged to the Education and Labor Committee, of which Powell was chairman until deposed last month. For trips made to Miami when no per diem expenses were charged, it checked Chalk and immigration to learn whether Powell and others had traveled between Miami and Bimini at that time.

The records showed that after the 10 publicly paid trips to Miami, Powell, Miss Huff and sometimes other aides were on the next shuttle out to Bimini. Usually, Miss Huff's and sometimes Powell's name did not appear on the Washington-to-Miami ticket. They paid the Miami-Bimini fare ($30 round trip) in cash.

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Committee Funds

For instance, the auditors' report showed that on July 1, 1963, tickets to Miami were purchased with committee funds for staff members Emma Swann, Cleomine Lewis and Michael Schwartz. But on the next connecting flight to Bimini out of Miami were Adam C. Powell, Corrine Huff and Emma Swann. Miss Lewis and Schwartz were not heard of again, they put in no-expense account and the inference was they did not make the flight.

The records indicated Mrs. Swann made several trips to Bimini at times when she told a previous inquiry she had not been in Miami. The committee has been unable to find her to call her as a witness.

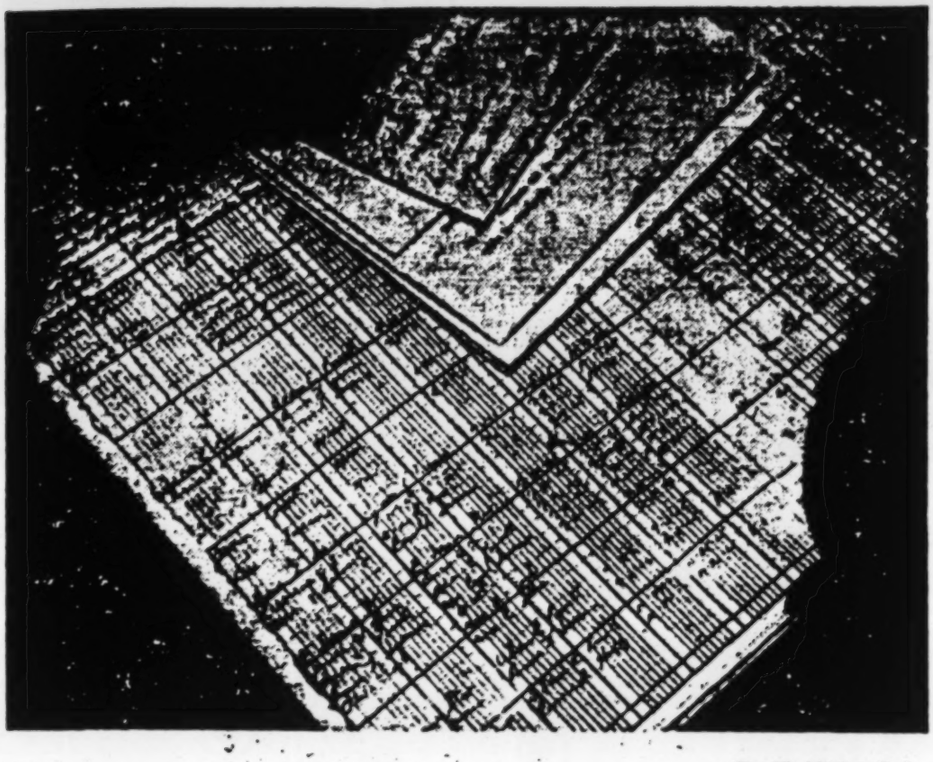
GAO supervising auditor Robert D. Gray said the study indicated a "great deal" of private travel at public expense and by persons not named on the plane tickets.

Asked why he concluded Powell and others had not gone to Miami on official business, Gray replied: "The schedule shows that virtually no time elapsed between their arrival in Miami and departure for Bimini."

Court Trip Indicated

Powell's lawyers have indicated they may go to court on a constitutional issue if the House fails to seat Powell. Celler said yesterday he thought the separation of powers doctrine would restrain the courts from considering a case involving the power of Congress to punish its members. What if the courts should rule against the House action, he was asked?

"Have they more soldiers than we?" said Celler.



The Washington Post

General Accounting Office data that was used at the Powell hearing yesterday.

0-19 (Rev. 12-9-66)

Those Pleasure Trips With Beauteous Secretary

Hill Unlikely to Make Adam Pay

By JACK STEELE
Scripps-Howard Staff Writer

Evidence that Rep. Adam Clayton Powell and his beauty-queen secretary, Miss Corrine Huff, made more than a dozen pleasure trips to Bimini Island at taxpayers' expense, raised questions today whether the House will try to recover these and other funds used for personal travel.

The Special House Committee investigating Rep. Powell's qualifications to be seated, produced documented evidence yesterday that Rep. Powell, Miss Huff and other members of his staff and family made 52 airline flights from here or New York to Miami in the last two years.

All were charged to the House Education and Labor Committee, of which the Harlem Congressman then was chairman.

ALL TIED IN

And all were linked directly by the Committee, thru records of the U. S. Immigration Service and of air taxis flying between Miami and Bimini, to pleasure jaunts made to Rep. Powell's hideaway in the Bahamas. Rep. Powell and his fellow travelers paid only for these air-taxi flights, charging the rest of their travels to the taxpayers.

Committee records indicated that Rep. Powell and Miss Huff made at least 15 such trips together — and repaid the Education and Labor Committee for only one.

On one of the trips — in January of 1966 — they were accompanied by Rep. Powell's 21-year-old son, Adam Clayton Powell III, and a companion, Carol T. Aldrich, who otherwise was not identified. Their travel, too, was paid by the taxpayers.

The cost of these trips, at the first class fares which apparently were paid, total close to $10,000. And a House Administration sub-committee estimated in December that all of the personal travel charged by Rep. Powell and his aides to the taxpayers might approach $100,000.

MOVE DOUBTED

Yet the House has made no move to recover any of these funds — and given no sign that it will.

Members of the Special Committee headed by Rep. Emanuel Celler (D., N.Y.), said they had no power to institute such action.

Rep. Omar Burleson (D., Tex.), chairman of the Administration Committee, said his group — which oversees all House expenditures — had discussed the question and decided to take no action at least until the issue of Rep. Powell's seating is settled by the House.

Other members of the Burleson Committee voiced doubts that it would — or legally could — try to recover any of the public funds spent by Rep. Powell or his aides.

TAXPAYER SUIT?

One member suggested that a taxpayers' suit — which could be filed by any citizen — might be the only course for recovery of the funds.

Justice Department officials have indicated they will not start any legal action to recover the funds unless specifically directed to by the House.

Rep. Powell and Miss Huff both failed to appear before the Celler Committee yesterday at the hearing at which evidence of their travels was presented.

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The Washington Post
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Powell's Wife Got Only 2 Checks

Someone Else OKd 19 Others, She Testifies

Asks That Report Be Favorable to Her Husband

By ROBERT K. WALSH
Star Staff Writer

Rep. Adam Clayton Powell's estranged wife told a House committee today that while on her husband's congressional office payroll at $20,578 a year, she received only two salary checks.

Testifying without hesitation and answering all questions at an open hearing, Mrs. Yvette Marjorie Flores Powell identified 19 such checks during the last two years as having been endorsed by someone else. She said the only congressional checks she personally received and endorsed were for last November and December.

Mrs. Powell conceded that she had done no work for that congressional salary since July 1965. She reported that Powell sent her a total of about $[illegible] and some other occasional funds, mainly for her support and that of their 4-year-old son at her home in Puerto Rico.

Urges Favorable Report

Despite her testimony—which he described as likely to be regarded as "adverse" to the Harlem Democrat—Mrs. Powell urged the committee to make a "favorable" report to the House.

The committee has until next Thursday night to submit findings and recommendations to the House on whether Powell should be seated. The House voted overwhelmingly Jan. 10 against seating him pending the special committee's investigation of his qualifications and his practices as a congressman and chairman of the Education and Labor Committee, a post he lost last month.

"I testified in full because I believe that it was my duty to cooperate with a committee of Congress," Mrs. Powell told the nine-member committee as she concluded her testimony. "I have answered truthfully and, to the best of my knowledge and ability.

"It is possible that some of my answers will be construed as adverse to my husband. I don't intend it that way.

Mrs. Powell Praised

"Although we have not been together for some time, Adam is my husband and the father of my child. It is my fervent wish that he will continue his career in the service of his country. I know the committee wants to be fair. I hope its report will be favorable to my husband."

Committee chairman Emanuel Celler, D-N.Y., and his colleagues commended Mrs. Powell for her cooperation.

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POWELL

Public Hearings Ended

Continued From Page A-1

Several of them praised her particulary for having testified so frankly under difficult personal circumstances.

They didn't ask her, however, why she failed to testify earlier before a House Administration subcommittee investigating Powell.

Much of Mrs. Powell's testimony concerning her salary checks had been disclosed in part previously in connection with the House Administration subcommittee closed hearings last December. The testimony today, however, was much more detailed and provided considerably more public information.

Mrs. Powell said she owns a two-bedroom house here at 16 Gessford Court SE. She added, however, that she has received no rent and does not know the rental price or who occupies it now.

She said she understood that Powell "operates it."

The committee brought out no additional information about the property. One question referred to Odell Clark, a Powell associate and formerly chief investigator for the Education and Labor Committee.

Mrs. Powell replied that she had met Clark but does not know where he lives.

The Washington telephone book lists Clark's address as 16 Gessford Court.

Former Aide Quizzed

Besides questioning Mrs. Powell for about an hour, the committee called C. Sumner Stone to the witness stand.

From March 1965 until yesterday, Stone was a $25,000-a-year special assistant to Powell as chairman of the Education and Labor Committee.

Stone was asked about records showing he made several trips on that committee's expense accounts—between Washington and Miami last year and to Bimini, where Powell frequently vacations.

Stone admitted side trips to Bimini. He said that the trips to Miami were on business for the committee and that Powell directed him to fly over to Bimini for a day or so to report on the work.

Stone provided comparatively little information in response to committee questions about Huff Enterprises, Ltd. Committee records earlier this week showed the company was incorporated with Miss Corrine Huff as president and Stone as vice president. Although based in the Bahamas, the company's Washington address was the same as Powell's congressional suite in the Rayburn House Office Building.

Praises Miss Huff

Stone insisted that he never discussed Huff Enterprises, Ltd., with Powell and did not know whether Powell had anything to do with it.

Miss Huff, 25, a former Miss Universe contestant, is on Powell's congressional office payroll as a $19,000-a-year secretary. She failed to appear earlier this week under a committee subpoena which was served on her last week at Bimini.

Stone said he helped in the incorporation of Huff Enterprises at the request of Miss Huff. He added, "I trust Miss Huff, and I think she is an honorable person."

He said he merely had "signed a paper" and thought he was an incorporator of the company. He said he did not know until later that he was listed as vice president and held a few shares of stock.

Stone testified he put up no money and that he informed Miss Huff several months ago he wanted to "get out" of the company.

Celler announced that the testimony of Mrs. Powell and Stone completed the committee's public hearings.

He said the transcript of all the hearings would be sent to the Justice Department. This generally is done by congressional investigating committees so that the department can develop any leads it might find concerning possible law violations or perjury.

Celler described Mrs. Powell's testimony as "very dramatic." He commented that "it takes a woman of courage to do a thing like that."

Mrs. Powell was accompanied by Washington attorney Joseph L. Rauh Jr.

During her testimony, Mrs. Powell was asked about the many salary checks which she said she had not received since her marriage to Powell. She said she had no idea what happened to the money.

"He handled all the finances," she said. "I had no clear understanding that the checks were being endorsed by him or deposited by him."

When shown 19 endorsed checks which the committee obtained from the sergeant-at-arms office, Mrs. Powell said the endorsement signatures were not hers. She commented that some of the signatures "looked familiar," but she did not otherwise try to identify them.

She said at the outset that she and Powell were married in December 1960 in San Juan, Puerto Rico. She had been working in his congressional office since 1958. After their marriage, they lived here for about a year, she said, and then she went to Puerto Rico.

No Contact Since 1965

She testified that early in her marriage she did fulltime work as a clerk for Powell, although mainly in Puerto Rico. She explained that the work consisted mainly of translating letters from Spanish into English for Powell.

The work began to taper off

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UPI-35

(POWELL)

WASHINGTON--THE ESTRANGED WIFE OF ADAM CLAYTON POWELL TESTIFIED TODAY THAT SHE DID NO WORK FOR THE LAST YEAR AND A HALF SHE WAS ON HER HUSBAND'S CONGRESSIONAL PAYROLL, BUT THAT POWELL HIMSELF RECEIVED MOST OF HER PAY CHECKS.

MRS. POWELL, SPEAKING IN A SOFT SPANISH ACCENTED VOICE, TOLD A SELECT COMMITTEE INVESTIGATING HER ESTRANGED HUSBAND'S FITNESS TO SERVE IN CONGRESS THAT SHE HAD RECEIVED ONLY TWO PAYCHECKS DURING THAT TIME.

"TO THE BEST OF YOUR KNOWLEDGE WERE THE CHECKS RECEIVED AND DEPOSITED BY YOUR HUSBAND?" ASKED COMMITTEE COUNSEL WILLIAM GOEGHAN.

"I THINK SO," MRS. POWELL REPLIED.

YVETTE MARJORIE FLORES POWELL SAID SHE HAD NOT SEEN OR TALKED TO HER HUSBAND SINCE SEPTEMBER, 1965. SHE SAID SHE HAD BEEN LIVING IN PUERTO RICO SINCE 1961, ONE YEAR AFTER SHE AND POWELL WERE MARRIED.

LATE LAST YEAR HOUSE OFFICIALS REMOVED MRS. POWELL FROM HER $20,578-A-YEAR JOB AFTER SHE FAILED TO APPEAR BEFORE ANOTHER INVESTIGATING GROUP AND BECAUSE HER EMPLOYMENT WAS FOUND TO HAVE VIOLATED A LAW REQUIRING STAFF MEMBERS TO WORK EITHER IN WASHINGTON OR THEIR MEMBER'S HOME STATE.

MRS. POWELL TESTIFIED THAT SINCE 1961 SHE HAD BEEN IN WASHINGTON ONLY TWICE, ONCE FOR A WEEK AND THE LAST TIME FOR ABOUT THREE DAYS. DURING THAT SAME PERIOD SHE WAS IN NEW YORK FOR ABOUT A MONTH IN 1964.

THE LAST TIME SHE WAS IN WASHINGTON, SHE SAID, WAS LAST AUGUST. SHE SAID SHE HAD WRITTEN SEVERAL LETTERS TO HER HUSBAND BUT THAT HE NEVER ANSWERED. FINALLY, SHE SAID, SHE CAME TO WASHINGTON WITH THE COUPLE'S FOUR-YEAR-OLD SON.

"DID YOU SEE MR. POWELL THEN?" GEOGHAN ASKED.

"I TRIED TO BUT I COULDN'T," MRS. POWELL REPLIED.

"DID YOU WANT TO TALK TO HIM ABOUT CONGRESSIONAL BUSINESS?" THE COUNSEL CONTINUED.

"YES, THAT, AND ALSO OUR PERSONAL LIFE."

MRS. POWELL SAID SHE TALKED ON THE PHONE TO POWELL'S ASSISTANT C. SUMNER STONE, BUT NEVER GOT TO SPEAK TO THE CONGRESSMAN HIMSELF.

"WAS HE HERE?" GEOGHAN ASKED.

"YES."

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Who Got the Money?

The significant part of the testimony given Representative Celler's committee by Mrs. Adam Clayton Powell boils down to this: She was employed as her husband's congressional secretary at $20,578 a year for a substantial period of time in apparent violation of law. Someone, acting without authorization from her, indorsed at least 19 of her pay checks during the past two years. Only a small part of this money ever reached her.

Representative Celler summed up the situation when he said that his conclusion from this testimony is that Mrs. Powell apparently "was on the payroll and did no work for it. He (Powell) was coercing her to stay on the payroll and used her salary for his own purposes."

As the Celler committee wound up its hearings yesterday, it was announced that a transcript of all the testimony is being sent to the Department of Justice. It seems to us that the department should be very interested in the testimony, and especially in the matter of who signed Mrs. Powell's indorsement on the checks and what happened to the thousands of dollars which she says she never received.

The testimony also has an important bearing on Powell's fitness to serve in the House, the more so in view of his refusal to offer any explanations when he appeared before the committee.

Mr. Celler's committee is scheduled to report back to the House on Thursday. This report and the committee's recommendations, if there are any, will be awaited with great interest because of their relevance to the integrity of our governmental processes.

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Date FEB 17 1967

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Powell's Taxes Eyed

By JACK STEELE
Rep. Adam Clayton Powell [illegible] his return to filed last year with his estranged wife, Congresswoman Hazel Hargrove Powell.

"This joint return is one of those Mrs. Powell swore to House investigators yesterday her husband had filed in the last two years without her signature — an apparent violation of the law.

The income reported by Rep. Powell on the 1960 state return included his $30,000 Congressional salary, his wife's pay of $12,467 (which she also swore he had collected through 1962) and an additional $10,724 — which presumably included his salary as pastor of Harlem's big Abyssinian Baptist Church.

WHAT HE PAID

Despite his reported income of more than $53,000, Rep. Powell paid state taxes on only a little more than one-third of this amount — $21,852. Even with New York's relatively high income tax rates, he paid 1960 state taxes of only $1292.

He claimed a deduction for his wife's entire salary of $12,467 on grounds she was a non-resident of New York. She has lived in Puerto Rico since 1961, but testified Rep. Powell had sent her only two $500 checks for support in 1960 while collecting all of her Congressional pay. She also said she filed no tax returns in Puerto Rico.

Rep. Powell also listed "itemized deductions" totaling $10,812 which he reported also were claimed on his Federal tax returns for 1960.

'DAMAGING'

Mrs. Powell's testimony that she had not signed their joint tax returns was one of two major items cited as "damaging" to Rep. Powell by Rep. Emanuel Celler (D., N.Y.), chairman of the Special House Committee investigating his affairs to [illegible].

The other was her testimony that she did no work as an employe of Rep. Powell's Congressional office after the summer of 1960, but that he continued to collect her monthly Government pay checks of $1734 and deposit them in his House [illegible] account until [illegible] November. She said she never gave him authority to cash her pay checks.

Rep. Celler said his Committee would submit the record of Mrs. Powell's testimony to the Justice Department and other government agencies for investigation of "possible law violations." He cited a section of the U. S. Code which makes it illegal to file false payroll reports to Congress.

OTHERS CONVICTED

(Several former members of Congress were convicted of submitting false payroll reports in connection with alleged "kickbacks" by employes who admitted doing no work. But some of these employes have been wives of Congressmen.)

Rep. Celler also conceded Mrs. Powell's testimony "didn't help" Rep. Powell's chances of regaining his House seat.

The Committee concluded its investigation after hearing her testimony and will submit its report to the House by next Thursday midnight.

Rep. Powell's New York state tax returns for the last four years were submitted to the committee by his attorneys as evidence that he is a resident of the state as required by the Constitution. They are actually copies of the returns retained by a taxpayer and do not bear any signatures.

DIDN'T CLAIM

They show Rep. Powell did not claim a non-resident deduction for Mrs. Powell's salary on their joint returns for 1962 thru 1964—even tho she also lived in Puerto Rico during those years.

The total joint incomes he claimed for previous years were 1961: $40,025; 1960: $40,[illegible], and 1959: $40,594.

He reported paying state income taxes of $1792 in 1962, $1368 in 1963 and $1697 in 1964.

Some Committee members raised their eyebrows over the size of the "itemized deductions" claimed by Rep. Powell on his state returns — and therefore on his Federal returns.

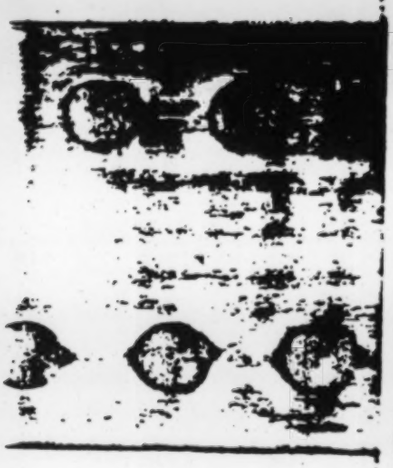
In 1962, when Rep. Powell's Congressional salary was only $22,500 and his total income $40,025, he claimed deductions on his joint state return of $21,767.52.

BREAKDOWN

In a breakdown of these deductions for 1962, he listed $1400 in contributions, $2304 in taxes and other unspecified deductions of $16,063.

Rep. Powell was acquitted in 1960 after a jury trial of charges of evading Federal income taxes for the years from 1949 to 1955. In 1961 he agreed to pay the Internal Revenue Service $37,822 in back taxes and interest for those years.

Mrs. Powell with Joseph Rauh Jr., one of her attorneys, at the hearing. —AP Photo



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The Washington Post
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The National Observer
People's World
Date 2-17-67

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UPI-8
(POWELL)
WASHINGTON--THE SPECIAL COMMITTEE JUDGING ADAM CLAYTON POWELL MAY RECOMMEND THAT IF HE IS SEATED IN CONGRESS HIS $30,000-A-YEAR SALARY BE DOCKED TO REIMBURSE THE GOVERNMENT FOR ALLEGED PAYROLL AND TRAVEL ABUSE.
THE PLAN WAS ONLY IN THE IDEA STAGE, BUT IT WAS LEARNED TODAY THAT AT LEAST ONE MEMBER OF THE NINE-MAN PANEL WAS READY TO PUT FORWARD THE PROPOSAL.
BESIDES HAVING A LEGAL PURPOSE, THE PLAN WOULD PUT THE ONUS ON POWELL BY LEAVING IT TO HIM TO DECIDE WHETHER HE WOULD BE WILLING TO SERVE IN THE HOUSE FOR REDUCED PAY OR FOR NO PAY AT ALL.
SEVERAL MEMBERS OF THE COMMITTEE ARE KNOWN TO HAVE RESERVATIONS ABOUT THE LEGALITY OF DENYING POWELL HIS SEAT IF HE CAN MEET THE THREE CONSTITUTIONAL QUALIFICATIONS FOR HOUSE MEMBERSHIP -- AGE (HE'S OVER 25), CITIZENSHIP (NATURAL-BORN U.S.), AND RESIDENCE (HE'S A NEW YORK RESIDENT).
BUT A SELDOM-USED LAW PERMITS THE HOUSE OR SENATE TO DOCK THE PAY OF MEMBERS WHO OWE MONEY TO CONGRESS FOR ONE REASON OR ANOTHER.
HOW MUCH HE WOULD LOSE IN PAY WOULD PROBABLY BE UP TO THE COMMITTEE. MRS. YVETTE FLORES POWELL, THE HARLEM DEMOCRAT'S ESTRANGED WIFE, TOLD THE PANEL YESTERDAY SHE HAD DONE NO WORK FOR THE LAST 18 MONTHS SHE WAS EMPLOYED AS A $20,578-A-YEAR AIDE IN HIS OFFICE.
EARLIER THIS WEEK, THE COMMITTEE HEARD ABOUT A NUMBER OF ALLEGEDLY UNAUTHORIZED TRIPS TO MIAMI CHARGED TO THE HOUSE EDUCATION AND LABOR COMMITTEE POWELL HEADED.
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WASHINGTON CAPITAL NEWS SERVICE

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POWELL 2/19 WA
BY DANIEL RAPOPORT
UNITED PRESS INTERNATIONAL

WASHINGTON (UPI) --A SPECIAL HOUSE COMMITTEE, WHICH WILL MEET MONDAY TO EXPLORE WAYS OF DISCIPLINING ADAM CLAYTON POWELL, APPARENTLY HAS DISMISSED THE LEGAL ISSUES WHICH PROMPTED THE INVESTIGATION OF THE HARLEM DEMOCRAT.

THE COMMITTEE HEADED BY REP. EMANUEL CELLER, D-N.Y., MUST RECOMMEND TO THE HOUSE THURSDAY WHETHER IT BELIEVES POWELL SHOULD BE PERMITTED TO TAKE THE SEAT HE WAS DENIED ON THE OPENING DAY OF THE 90TH CONGRESS, JAN. 10.

NO REPORT WAS EXPECTED FROM MONDAY'S MEETING, BUT SOURCES SAID THE COMMITTEE WOULD CONSIDER ITS ALTERNATIVES AND MAY REACH GENERAL AGREEMENT ON WHAT ACTION IT SHOULD RECOMMEND.

THE ISSUE WHICH PROMPTED THE INVESTIGATION WAS POWELL'S TANGLE WITH NEW YORK STATE COURTS OVER A DEFAMATION JUDGMENT AND A CONVICTION FOR CRIMINAL CONTEMPT NOW BEING APPEALED.

THE NINE COMMITTEE MEMBERS, ALL LAWYERS, HAVE STEERED CLEAR OF THIS ISSUE IN THE INVESTIGATION, WHICH HAS FOCUSED INSTEAD ON POWELL'S HIRING PRACTICES AND ALLEGED PERSONAL TRAVEL AT TAXPAYER EXPENSE.

CELLER SAID THE COMMITTEE FELT IT WOULD BE IMPROPER TO CONSIDER CHARGES AGAINST POWELL WHICH MAY BE DISMISSED BY THE APPEALS COURTS.

TWO FACTORS HAVE IMPRESSED THE COMMITTEE:

--POWELL HAS BEGUN PAYING OFF THE $170,000 IN JUDGMENTS, PENALTIES AND INTEREST HE OWES HARLEM WIDOW ESTHER JAMES.

--THE CRIMINAL CONTEMPT OF COURT CONVICTION FOR FAILURE TO SETTLE THE SUIT IS UNDER APPEAL IN NEW YORK.

IN A RESOLUTION CREATING THE INVESTIGATION, THE HOUSE DID NOT SPECIFY ANY CHARGES AGAINST POWELL. BUT THE COMMITTEE DECIDED ON THE BASIS OF HOUSE DEBATE OF THE RESOLUTION THAT IT WOULD LOOK INTO THE LIBEL MATTER AND POWELL'S OFFICIAL ACTIONS AS A CONGRESSMAN AND AS FORMER CHAIRMAN OF THE EDUCATION AND LABOR COMMITTEE.

THE COMMITTEE HEARINGS HAVE INCLUDED ONLY ONE WITNESS ON THE LEGAL SITUATION. HE WAS RONALD GOLDFARB, WHO DID LITTLE MORE THAN SUMMARIZE THE STATUS OF THE COMPLICATED CASE.

THE COMMITTEE COULD SEAT POWELL WITHOUT PENALTY OR EXPEL HIM FROM THE HOUSE.

BECAUSE OF CONSTITUTIONAL PROVISIONS, THE COMMITTEE IS EXPECTED TO RECOMMEND THAT POWELL FIRST BE SEATED, SO THAT ANY ACT AGAINST HIM BY THE HOUSE WOULD BE AN OFFICIAL MOVE AGAINST A MEMBER. POWELL PRESENTLY IS NOT A MEMBER. HE IS A REPRESENTATIVE-ELECT, STILL TO BE SWORN IN.

SOURCES SAID POWELL'S EXPULSION WAS UNLIKELY. HOWEVER, A FORMAL CENSURE OR DOCKING OF HIS SALARY TO PAY FOR PAST TRIPS AND PAYROLL OVERPAYMENTS WAS CONSIDERED POSSIBLE.

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UPI-121
(POWELL)

WASHINGTON--LAWYERS FOR ADAM CLAYTON POWELL CONTENDED TODAY THAT, UNDER THE CONSTITUTION, THE HOUSE CANNOT PUNISH OR EXPEL HIM FOR ANY ACTS HE COMMITTED BEFORE JAN. 3, 1967, WHEN THE NEW CONGRESS BEGAN.

THE ATTORNEYS MADE THEIR ARGUMENT IN A BRIEF FILED WITH THE SPECIAL HOUSE COMMITTEE INVESTIGATING WHETHER POWELL SHOULD SERVE AS A MEMBER OF THE 90TH CONGRESS. THE HOUSE BLOCKED HIM FROM TAKING HIS OATH OF OFFICE ON JAN. 10 PENDING THE INQUIRY.

THE LAWYERS' APPEAL CAME AS THE COMMITTEE BEGAN DELIBERATIONS ON THE RECOMMENDATIONS IT WILL MAKE ON THE SEATING OF POWELL. IT MUST REPORT TO THE HOUSE BY THURSDAY.

THE COMMITTEE WAS REPORTED TO HAVE COME TO THE CONCLUSION THAT THE CONSTITUTION BARS THE HOUSE FROM "EXCLUDING" A MEMBER UNLESS HE FAILS TO MEET CONSTITUTIONAL REQUIREMENTS THAT HE BE AT LEAST 25 YEARS OLD, A CITIZEN OF THE UNITED STATES FOR SEVEN YEARS AND AN INHABITANT OF HIS STATE WHEN ELECTED.

THERE WERE INDICATIONS THE COMMITTEE WOULD RECOMMEND THAT POWELL BE SEATED AND CENSURED, AND THAT HIS $30,000-A-YEAR PAY BE DOCKED TO REIMBURSE THE GOVERNMENT FOR ALLEGED PAYROLL PADDING AND UNAUTHORIZED TRAVEL.

THE BATTERY OF CIVIL LIBERTIES AND CIVIL RIGHTS LAWYERS WORKING IN POWELL'S BEHALF READILY CONCEDED THAT THE HOUSE HAS THE RIGHT TO PUNISH OR EXPEL ITS MEMBERS. BUT THE INDIVIDUAL, THEY CONTEND, FIRST HAS TO BE A MEMBER.

THEY ALSO CLAIM THAT CONGRESS IS NOT A CONTINUING BODY, THAT EACH CONGRESS CAN TAKE ACTION ONLY AGAINST ACTS COMMITTED IN ITS LIFETIME AND ONLY THOSE ACTS THAT INTERFERE WITH THE LEGISLATIVE FUNCTION.

THE BRIEF IMPLIES THAT IF POWELL IS GUILTY OF ANY CRIMINAL WRONGDOING HE IS SUBJECT, LIKE OTHER CITIZENS, TO PROSECUTION IN THE COURTS.

"BY THIS STANDARD," TH BREIF SAID, "THIS COMMITTEE CANNOT REVIEW OFFICIAL MISCONDUCT OF THE MEMBER-ELECT EXCEPT THAT OCCURRING IN THE CURRENT SESSION."

THE 90TH CONGRESS OFFICIALLY BEGAN ON JAN. 3, THOUGH MEMBERS WERE NOT SWORN IN UNTIL JAN. 10.

CHARGES AGAINST POWELL STEMMED FROM AN INVESTIGATION HELD LATE LAST YEAR BY A HOUSE ADMINISTRATION SUBCOMMITTEE HEADED BY REP. WAYNE HAYS, D-OHIO.

THE LAWYERS NOTED THAT THE HAYS GROUP ALREADY HAD TAKEN ACTION AGAINST POWELL. THEY SAID THAT FOR THE SPECIAL COMMITTEE "TO RETREAD THE MATTER WHICH THE HAYS COMMITTEE INVESTIGATED AND DEAL WITH IT WOULD BE IN THE NATURE OF SUBJECTING CONGRESSMAN POWELL TO DOUBLE JEOPARDY."

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UPI-9
(POWELL)
WASHINGTON--A SPECIAL HOUSE COMMITTEE INVESTIGATING ADAM CLAYTON POWELL BEGINS ITS FINAL WEEK OF DELIBERATIONS TODAY WITH APPARENT AGREEMENT ON TWO MAJOR DECISIONS AFFECTING THE HARLEM LAWMAKER'S FUTURE.

PRIOR TO A CLOSED MEETING OF THE NINE-MEMBER PANEL TODAY, IT WAS BECOMING INCREASINGLY CLEAR THAT IT HAD DECIDED:

--THAT WHATEVER ACTION IS TO BE TAKEN AGAINST POWELL SHOULD COME AFTER HE IS SEATED IN THE HOUSE.

--THAT THE LEGAL PROBLEMS FACING HIM IN NEW YORK HAVE NO BEARING -- AT LEAST FOR THE PRESENT -- ON THE QUESTION OF WHETHER HE SHOULD BE A MEMBER OF THE 90TH CONGRESS.

THE SPECIAL COMMITTEE'S MEETING TODAY WAS EXPECTED TO RUN INTO THE EARLY EVENING. SOURCES SAID THAT BY THE TIME IT ENDED THE MEMBERS OF THE PANEL MAY HAVE AGREED GENERALLY ON WHAT THEY WILL RECOMMEND TO THE HOUSE THURSDAY.

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State Department Notes Gap on Powell Funds

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By the Associated Press

The State Department gave Adam Clayton Powell some $14,000 in foreign counterpart funds from 1961 through 1964 but his reports to Congress accounted for spending only $6,900 of it, official records showed today.

Powell was not available, but a spokesman for the congressman declined to comment on the reports.

Figures supplied by the State Department to the select House committee investigating Powell showed that in the four-year period, $14,019.07 in foreign currencies was advanced to him.

Figures supplied by the House Administration Committee showed Powell reported spending $6,902.29 over the same period.

The two accounts appeared today in a volume of hearings printed by the select committee.

This left $7,116.78 unaccounted for. Sources familiar with spending of counterpart said the Harlem Democrat could either have spent ths money without reporting it, or converted it back into American dollars at the prevailing exchange rate.

The biggest gap was in 1962, the year Powell—accompanied by two women staff members—investigated job opportunities for women in Europe. The State Department advanced him $4,300.07 that year, but he reported to the Administration Committee that he spent $1,544.00 in 36 days, or several hundred dollars below the limit of $1,750.00 based on the congressional $50-a-day limit.

The records showed that Powell's two traveling companions also received considerably more in counterpart funds than they later reported having spent.

Corrine A. Huff received $2,998.18, and the Administration Committee records show she reported spending $1,741.50, while Tamara J. Wall received $3,526.30, while reporting expenditures of $1,653.00.

In 1965, the records showed, Powell was advanced $2,457.59 and reported expenditures of $1,353.71; in 1963, he was advanced $1,080.60 and reported spending $721.21; and in 1961, he was advanced $6,180.81 and reported spending $3,283.37.

No spending abroad was shown for 1965. The State Department reported advancing Powell $700 in 1966. The committee's 1966 spending statement has not been filed.

The Washington Post
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The Washington Daily News
The Evening Star (Washington) A3
The Sunday Star (Washington) FINA
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
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The New Leader
The Wall Street Journal
The National Observer
People's World
Date FEB 23 1967

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House Probe Favors Seat For Powell

By Richard L. Lyons
Washington Post Staff Writer

The House committee on Adam Clayton Powell agreed unanimously yesterday to recommend that the House seat him, but censure him and dock his pay to recover funds he allegedly misused.

Chairman Emanuel Celler (D-N.Y.) refused to release the decision until it is filed in the House today, but other sources said the committee had voted to punish rather than expel the Harlem Democrat.

Republican leaders, who led the move to deny Powell his seat on opening day, are expected to support the recommendation as practical, constitutional and severe punishment. It could still provoke a lively fight in the House where there is strong sentiment, buttressed by mail from home, to kick Powell out of Congress.

Committee members would not specify the amount of money they will try to recover from Powell, but one member had said earlier that they had a clear case for deducting $35,000 from his pay during the two-year congressional term. This would be for plane trips he made at public expense to fish at Bimini, and for the $20,575-a-year salary his estranged wife drew as her congressional salary while living in Puerto Rico without working.

Committee counsel William Goeghegan denied a published report that the money Powell owes had increased by discovery of fictitious names on the payroll of his New York office. He confirmed that the George Wackenhut Corp., a Florida-based private detective agency, had checked the payroll, but said it had found a body for every name. Wackenhut is the same firm that Florida Gov. Claude Kirk hired to wage a campaign against organized crime in the State.

The clerk of the House has authority under law to deduct from a member's salary debts he owes to the House. If the House decides to collect $35,000 from Powell, that would be more than half his annual $30,000 salary. He would be better off resigning and taking the $15,000 pension he has built up in 22 years in the House.

Rep. Claude Pepper (D-Fla.) had been holding out for expulsion and said yesterday he still favored kicking Powell out for his "shocking conduct." But he also said he expected to be able to sign the report, which apparently will contain language stating Pepper's position.

Except for Pepper, the committee apparently had been agreed almost from the start on punishment rather than expulsion. It has been working since to try for unanimity and decide details.

Whatever the final outcome, the career of the Harlem clergyman as a power in the House has surely come to an end. On his office wall hangs a framed letter from President Johnson congratulating Powell last year on his achievements in five years as chairman of the House Education and Labor Committee, where he presided over the birth of landmark education in the fields of aid to education, the war on poverty and manpower retraining.

Now Powell has been stripped of his committee chairmanship for his casual use of public funds. His wife is off the payroll. His fishing companion and beauty-queen secretary, Corrine Huff, may also be out of a job. And if he remains in Congress, it will be at the cost of the soundest spanking administered by the House to one of its members in this century.

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The Washington Post
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New York Post
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The Sun (Baltimore)
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The New Leader
The Wall Street Journal
The National Observer
People's World

Date FEB 23 1967

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United Press International

SUBJECT: POWELL—The special House committee preparing a report on Rep. Adam Clayton Powell was in session yesterday with these members attending; from left, around the table, Reps. Arch Moore, Emanuel Celler, Clark MacGregor, Andrew Jacobs, James C. Corman, Charles M. Teague, John Conyers, standing, and Claude Pepper. The committee will file its report on Rep. Powell today.

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UPI-8

(POWELL)

WASHINGTON--THE HOUSE APPEARED WILLING TODAY TO GO ALONG WITH THE SEAT-AND-PUNISH FORMULA WORKED OUT FOR ADAM CLAYTON POWELL. THE BIG QUESTION NOW WAS WHETHER THE MAN HIMSELF WOULD HOLD STILL FOR IT.

A CLOSE FRIEND OF THE HIGH-FLYING HARLEM DEMOCRAT SAID HE DID NOT KNOW WHAT POWELL WOULD DO, BUT ADDED "OFFHAND, I CAN'T IMAGINE HIM ACCEPTING IT."

NEITHER POWELL, WHO WAS REPORTED TO BE AT HIS CARIBBEAN HIDEAWAY ON THE ISLAND OF BIMINI, NOR HIS LAWYERS HAD ANY COMMENT ON THE RECOMMENDATIONS OF A SPECIAL HOUSE PANEL THAT HAS BEEN INVESTIGATING THE PREACHER-POLITICIAN.

THE COMMITTEE PROPOSED YESTERDAY THAT POWELL BE RETURNED TO THE HOUSE SEAT HE HAS HELD FOR 22 YEARS, DOCKED $40,000 IN PAY AT THE RATE OF $1,000 A MONTH, STRIPPED OF ALL SENIORITY, AND BROUGHT BEFORE THE BAR OF THE HOUSE FOR FORMAL CENSURE. IT ALSO FORWARDED COPIES OF ITS RECORDS TO THE JUSTICE DEPARTMENT FOR "PROMPT AND APPROPRIATE ACTION."

LEADERS OF BOTH PARTIES BACKED THE RECOMMENDATIONS AS CONSTITUTIONALLY SOUND AND APPROPRIATELY SEVERE. KEY MEMBERS BELIEVED THE VOTE TO SEAT POWELL, SCHEDULED FOR WEDNESDAY, WOULD CARRY, THOUGH IT WOULD BE CLOSE.

BUT THERE WAS MUCH LESS CERTAINTY AS TO WHETHER POWELL WOULD SHOW UP ON WEDNESDAY TO TAKE THE OATH OF OFFICE IF ALLOWED TO DO SO.

FOR ONE THING, THE FINE TO BELEVIED AGAINST HIM WOULD LEAVE HIM WITH ANNUAL SALARY OF ABOUT $18,000. IF THE 58-YEAR-OLD LAWMAKER RESIGNED FROM CONGRESS RIGHT NOW HIS PENSION WOULD COME TO ABOUT $14,000 A YEAR.

MORE SIGNIFICANTLY, HIS LAWYERS HAVE HINTED THAT THEY MIGHT GO TO COURT IF THE HOUSE ACTS IN A MANNER THEY BELIEVED WAS UNCONSTITUTIONAL.

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WASHINGTON CAPITAL NEWS SERVICE

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Powell, Silent on Punishment, to See Press Tomorrow

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Adam Clayton Powell

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington) A-4
The Sunday Star (Washington)
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6-18 (Rev. 12-6-66)

Texts of Statement and Resolution of Powell Panel

WASHINGTON, Feb. 24—Following are the texts of a statement by a select House committee that recently cited Representative Adam Clayton Powell and of a resolution on Mr. Powell:

Statement

The select committee, after intense and prolonged deliberation, has agreed to report the following findings, conclusions and recommendations:

FINDINGS

1. Mr. Powell is over 21 years of age, has been a citizen of the United States of America for over seven years, and on Nov. 5, 1966, was an inhabitant of New York State.

2. Mr. Powell has repeatedly asserted a privilege and immunity from the processes of the courts of the State of New York not authorized by the Constitution. Mr. Powell has been held in criminal contempt by an order of the New York State Supreme Court, a court of original jurisdiction, entered on Nov. 17, 1966. This order is now on appeal to the Appellate Division, First Department, an intermediate appellate court in the State of New York, and is not a final order. At the time of the committee's hearings, there were also outstanding three court orders holding Mr. Powell in civil contempt, which were issued May 5, 1964, Oct. 14, 1966, and Dec. 14, 1966. The order of May 5, 1964, was vacated when the final judgment against Mr. Powell was satisfied on Feb. 17, 1967.

3. As a member of Congress, Mr. Powell wrongfully and willfully appropriated $36,908.34 of public funds for his own use from July 21, 1960, to Jan. 1, 1967, by allowing salary to be drawn on behalf of Y. Marjorie Flores as a clerk-hire employe when, in fact, she was his wife and not an employe in that she performed no Congressional duties and further was not present in the State of New York or in Mr. Powell's Washington office, as required by [illegible]

4. As a member of Congress, Mr. Powell wrongfully and willfully appropriated $12,660.37 of public funds for his own use from Aug. 21, 1964, to July 21, 1966, by allowing salary to be drawn on behalf of said Y. Marjorie Flores he a clerk-hire employe when any Congressional duties performed by her were not performed in the State of New York or Washington, D. C., in violation of House Resolution 294 of the 88th Congress and House Resolution 7 of the 89th Congress.

5. As chairman of the committee on education and labor, Mr. Powell wrongfully and willfully appropriated $214.79 of public funds to his own use by allowing Sylvia Givens to be placed on the staff of the House Education and Labor Committee in order that she do domestic work in Bimini, the Bahamas Islands, from Aug. 7 to Aug. 30, 1966, and in that he failed to repay travel charged to the committee for Miss Givens from Miami to Washington, D. C.

6. As chairman of the committee on education and labor, Mr. Powell on March 30, 1966, wrongfully and willfully appropriated $73 of public funds by ordering that a House Education and Labor Committee air travel card be used to purchase air transportation for [illegible] Clarice Powell [illegible] for a member of his Congressional office clerk-hire staff [Lillian Upshur], and for personal friends [Pearl Swengin and Jack Duncan] none of whom had any connection with official committee business.

7. As chairman of the Committee on Education and Labor, Mr. Powell wilfully misappropriated $461.16 of public funds by giving to Emma T. Swann, a staff receptionist, airline tickets purchased with a committee credit card for three vacation trips to Miami, Fla., and return to Washington, D. C.

8. During his chairmanship of the Committee on Education and Labor, in the 89th Congress, Mr. Powell falsely certified for payment from public funds, vouchers totaling $1,321.83 covering transportation for other members of the committee staff between Washington, D. C., or New York City, and Miami, Fla., when, in fact, the chairman [Mr. Powell] and a female member of the staff had incurred such travel expenses as a part of their private travel to Miami, the [illegible]

As chairman of the committee on Education and Labor, Mr. Powell made false reports on expenditures of foreign exchange currency to the Committee on House Administration.

CONCLUSIONS AND RECOMMENDATIONS.

On the basis of the factual record before it, this select committee concludes that member-elect Adam Clayton Powell meets the qualifications of age, citizenship, and inhabitancy and holds a certificate of election from the State of New York. This committee concludes, however, that the following conduct and behavior of Adam Clayton Powell has reflected adversely on the integrity and reputation of the House and [illegible]

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New York Post
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The Wall Street Journal
The National Observer
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By ROBERT E. WALSH
Star Staff Writer

Adam Clayton Powell faces the most crucial question of his public career today—whether to gamble the severest punishment ever sought against a congressman short of being expelled from the House.

The House will vote Wednesday on a special committee's unanimous recommendation that the Harlem Democrat be seated in the 90th Congress. It had no word today whether he would be here or would accept the hard-hitting penalties that would go with a seating.

Under the committee's pending resolution, Powell would have until March 13 to "present himself to take the oath of office." If he refused or otherwise failed to appear, the House would declare a seat vacant for the Harlem district he has represented for 22 years.

Powell is now at his retreat on Bimini in the Bahamas. He would not answer the phone but sent a note to newsmen saying he will hold a press conference there at 1 p.m. tomorrow.

If the House approves the committee's over-all resolution—and leaders of both parties believe it will—Powell would be called before all his colleagues if he showed up and would be publicly censured by Speaker John W. McCormack for what the committee described as "grave misconduct."

The "Fine"

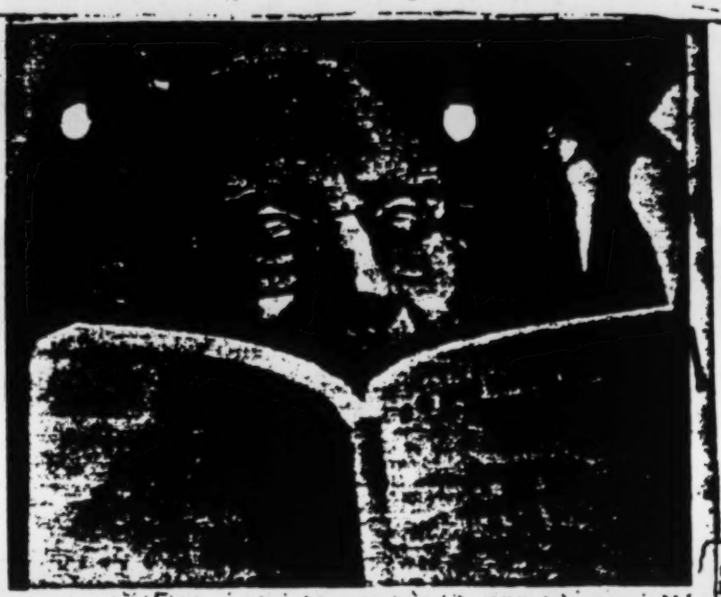
He would have to pay back $40,000, of which $1,000 a month would be deducted as a starter from his $30,000 congressional salary. Such a punishment never before has been imposed on a member of Congress.

The $40,000 in round figures is what the committee's report and recommendations late yesterday estimated as the amount of congressional funds he "wrongfully and willfully appropriated" for his own use during the last three years.

Moreover, Powell would drop to the bottom of the House seniority totem pole. That would dump him below every other member on any committee, including the Education and Labor Committee that he headed for six years before being stripped of the chairmanship Jan. 9 by House Democrats.

And, he would have to move out of his present plush suite in the Rayburn House Office Building and get an office probably in the farthest reaches of the ancient Cannon House Office Building. He likewise would lose privileges such as a choice parking place in the Rayburn Building garage.

If the 56-year-old Powell ran in a special election for Congress in the event his seat was declared vacant and was re-elected, he would return as a new member with no seniority or special privileges.



Rep. Emanuel Celler reads committee's report on Adam Clayton Powell.

He presumably could reappoint Miss Corrine Huff as his congressional office secretary. Members of the investigating committee predicted that the House "would take a dim view" of such a move. The committee recommended that the House drop Miss Huff from the congressional payroll because she refused to answer a subpoena to testify earlier this month.

Miss Huff, 25-year-old former Miss Universe beauty contestant, has been drawing a $12,000 annual salary as a secretary in Powell's office. According to testimony at committee public hearings this month and at closed hearings by a House Administration subcommittee last December, she accompanied Powell on some trips that investigators said were financed out of congressional funds but were not on official business.

Miss Huff is believed to be with Powell in the Bahamas.

Rougher Than Expected

Negro civil rights leaders charged that the committee recommendation shows a congressional double standard — one standard for white congressmen, another for Negroes. Roy Wilkins, executive director of the National Association for the Advancement of Colored People, urged Congress to set up an ethics code for its members, and this was a prominent theme in the criticism of the committee's action.

In language considerably rougher than had been expected, the special committee of five Democrats and four Republicans blasted Powell's refusal to cooperate with the committee as having been "contemptuous and conduct unworthy of a member" of the House.

The committee suggested that Powell be seated mainly because he met constitutional qualifications of age, citizenship and inhabitancy and holds a certificate from New York State that he was legally re-elected to the House last November.

"This committee concludes, however," the report went on, "that the following conduct and behavior of member-elect Adam Clayton Powell has reflected adversely on the integrity and reputation of the House and its members."

The report then spelled out its findings and recommendations. Although signed by all nine members, Rep. Claude Pepper, D-Fla., stated that he "feels strongly that Mr. Powell should not be a member of the House." Rep. John Conyers, D-Mich., stated that he believes "the punishment of Mr. Powell beyond severe censure is improper."

Pepper and Conyers said they nevertheless intend to vote in the House for adoption of the report. Pepper had indicated he might try to obtain a House vote to expel Powell immediately after seating him.

House Republican leader Gerald R. Ford of Michigan said today he expects strong Republican support for the committee's recommendations. He added, however, that it would not be made a party matter and Republicans would be left to vote on the case as they choose.

He said he intends to support the recommendations.

Expulsion would require a two-thirds majority vote of the House. Adoption of the committee's recommendations would require only a simple majority.

Committee Chairman Emanuel Celler, D-N.Y., demurred at a news conference on the conclusions and recommendations that the $40,000 could be considered as a fine, a recompense or a punishment.

"But whatever you call it," Celler added, "we want to get that money back for Congress."

The committee explained that the sum would be used "to offset the civil liability of Mr. Powell to the United States." It declared that this liability exists because Powell converted to his own use most of the $30,578 annual salary of his estranged wife while on his office payroll.

It resulted also from "improper expenditures of government funds for private purposes" by Powell and several Education and Labor Committee staff employes prior to this year, the committee said.

Committee members said that the $40,000 was not an exact or complete total. They indicated that it might be increased if the Justice Department or the House itself finds further evidence of misuse of government funds.

If Powell refused to be sworn in or left Congress for some other reason, committee members said, he would still be liable for the $40,000.

Besides Celler, Pepper and Conyers, others on the committee were Reps. James C. Corman, California, and Andrew Jacobs, Indiana, Democrats, and Arch A. Moore, West Virginia, Charles M. Teague, California, Clark MacGregor, Minnesota and Vernon W. Thomson, Wisconsin, Republicans.

Rep. John Conyers Jr. (D-Mich.), only Negro on the committee, said he felt that "severe censure" would have been sufficient punishment.

But Conyers praised the committee for its nonpartisan approach and said the fact that Powell is a Negro "was not once used for or against" him during the committee's deliberations.

"I have a new regard for what the spirit of bipartisanship means in the House," said Conyers. He added that he would support the resolution.

Ethics Group Favored

Several members said the "tragedy and embarrassment" of the Powell case emphasizes the need for a permanent and separate House committee on ethics. Such a proposal is being considered by the House Rules Committee, but the House Administrative Committee wants to take on this function as part of its housekeeping duties.

The committee itemized $46,226.48 which it said Powell had "wrongfully and willfully appropriated" for his own or other unauthorized use during the last 2½ years.

The bulk of this—$44,000—was the salary of his estranged wife who — the committee found—was on his payroll illegally during that period because she lived in Puerto Rico. Mrs. Powell had testified that she did no work during that time and that Powell kept most of her $20,578 annual salary.

The other official expense items the committee called illegal were:

- Listing of $1291.92, for official travel by Education and Committee staff while Powell was chairman, which actually were trips by Powell and Miss Huff to Bimini.
- $461.16 which Powell used to give his receptionist, Emma Swann, "three vacation trips to Miami."
- $214.70 used by Powell to pay Sylvia Givens as a committee employe, when in fact he had hired her as a housekeeper at his Bimini fishing retreat.
- $72 in committee funds used by Powell to buy a plane ticket for his son and two friends, none of whom was employed by the committee.

Counterpart Funds

The committee also found that Powell reported spending $6902.29 of the $14,019.07 in counterpart funds he received for foreign travel with Miss Huff and other committee employes during the last five years. This left $7116.78 unaccounted for. Counterpart funds are local currencies owned by the United States and available to traveling officials for use in the country where the funds are held.

The $40,000 levy is to be deducted from Powell's $30,000-a-year salary at the rate of $1000 a month. This is less than the committee believes Powell misused, and the formula provides for recovering only $22,000 in the 90th Congress.

Asked about this, committee members said the $40,000 was not a precise figure of the debt owed, but indicated they hoped the Justice Department would take the case to court and determine the precise figure at a full adversary proceeding where Powell would have the right to present witnesses and cross-examine.

The committee also suggested that money deducted from Powell's salary should be applied toward any judgment against him if there is such court action.

Chairman Emanuel Celler said he realized many members think Powell should be expelled. But with the fine, he said, "we touch his pocket nerve, and that hurts."

Take-Home Pay Cut

Powell has lost the power of the committee chairmanship, and how he is being severely hurt in the pocketbook. His wife is off the payroll. His secretary will soon follow. And if the House adopts the committee proposals his take-home pay will be cut by 40 per cent. He even stands to lose a favored parking place for his blue Jaguar in the House garage.

Asked whether Powell could rehire Miss Huff after he takes the oath of office, Rep. Arch A. Moore Jr. (R-W.Va.), senior Republican on the committee, said:

"I think the House would take a dim view of that."

Rep. James C. Corman (D-Calif.) said he believed the committee's recommendations successfully met these crucial tests: It stays within the Constitution, recognizes the right of Harlem to be represented by the Congressman of its choice, is firm but fair and protects the integrity of the House.

Rep. Vernon Thomson (R-Wis.) said "the easy solution would be to say 'kick him out.' The committee wisely resisted this emotionalism."

Other members of the Powell investigating committee are Reps. Andrew Jacobs Jr. (D-Ind.), Clark MacGregor (R-Minn.) and Charles M. Teague (R-Calif.).

If the House approves the report and Powell shows up, the House will witness a sight it has not seen in nearly half a century—the formal censure of a member.

In the words of the resolution, Powell would take the oath and then "be brought to the bar of the House in the custody of the Sergeant-at-Arms of the House and be there publicly censured by the Speaker in the name of the House."

By Wally McNamee, Staff Photographer

THE BOOK—Rep. Celler holds manuscript of testimony taken in case of Adam Clayton Powell. At rear are Reps. Clark MacGregor, left, and Claude Pepper,

0-19 (Rev. 12-9-66)

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Adam Clayton Powell

Powell situation topic for Feb. 28

SAN JOSE — Clifford Sweet, Negro attorney, will speak on "The Truth Behind the Attack on Adam Clayton Powell" at a public meeting sponsored by Friends of SNCC at the San Jose Peace Center, 285 N. 1st Street, on Tuesday evening, Feb. 28.

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The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date 2/25/67

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UPI-85
(POWELL)
WASHINGTON--AN ATTORNEY FOR ADAM CLAYTON POWELL SAID TODAY THE HARLEM DEMOCRAT WOULD WAIT UNTIL THE HOUSE ACTED BEFORE DISCLOSING WHETHER HE WOULD ACCEPT THE SEATING AND PUNISHMENT PLAN PROPOSED FOR HIM.

THE HOUSE IS SCHEDULED TO VOTE WEDNESDAY ON THE RECOMMENDATIONS OF A SPECIAL COMMITTEE WHICH INVESTIGATED POWELL AFTER HE WAS TEMPORARILY BARRED FROM TAKING HIS OATH OF OFFICE ON JAN. 10.

THE BIG QUESTION WAS WHETHER POWELL WOULD TAKE HIS OATH OF OFFICE IF HE GETS THE OPPORTUNITY. HE WOULD HAVE TO PAY A STIFF PRICE IN DOLLARS AND PRIDE AS READMISSION TO THE CONGRESS.

"HE HAS PROMISED ON A STACK OF BIBLES NOT TO OPEN HIS MOUTH," SAID HERBERT O. REID.

REID DECLINED TO SAY WHETHER POWELL WOULD ATTEMPT TO FIGHT THE DISCIPLINARY ACTION IN COURT.

"IT WOULD BE AN AFFRONT TO THE HOUSE TO SAY WHAT WE ARE GOING TO DO UNTIL THE HOUSE MAKES ITS DECISION," REID TOLD A NEWSMAN.

THE SPECIAL COMMITTEE RECOMMENDED THAT THE FLAMBOYANT MINISTER-POLITICIAN BE SEATED, STRIPPED OF HIS 22 YEARS OF SENIORITY, PUBLICLY CENSURED AND FINED $40,000. IT CHARGED HIM WITH PADDING HIS PAYROLL AND TAKING PERSONAL TRIPS AT THE TAXPAYERS' EXPENSE.

REID, A LAW PROFESSOR AT HOWARD UNIVERSITY, IS ONE OF SEVEN CIVIL LIBERTIES AND CIVIL RIGHTS LAWYERS WHO HAVE BEEN WORKING VOLUNTARILY IN POWELL'S BEHALF. THEY CONTEND THAT UNDER THE CONSTITUTION THE HOUSE HAS NO RIGHT TO PUNISH THE NEGRO DEMOCRAT FOR ANY ACTS COMMITTED PRIOR TO JAN. 3, 1967, THE START OF THE 90TH CONGRESS. 2/27

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77 MAR © 1967 WASHINGTON CAPITAL NEWS SERVICE

REID AND WILLIAM KUNSTLER, ANOTHER OF THE ATTORNEYS, MET WITH POWELL OVER THE WEEKEND AT HIS VACATION RETREAT IN THE BAHAMAS. REID SAID THEY CONFERRED WITH POWELL AND PREVAILED UPON HIM TO MAKE NO COMMENTS UNTIL A DECISION WAS ANNOUNCED.

UNDER THE RESOLUTION APPROVED BY THE 9-MAN COMMITTEE, POWELL HAS UNTIL MARCH 13 TO PRESENT HIMSELF TO THE HOUSE TO BE SWORN IN. IF HE DOES NOT SHOW UP BY THEN THE HOUSE WILL BE ASKED TO DECLARE THE SEAT VACANT, LEAVING THE WAY OPEN FOR A SPECIAL ELECTION.

COMMITTEE CHAIRMAN EMANUEL CELLER, D-N.Y., HAS SAID THAT THE SAME CONDITIONS WOULD APPLY IF POWELL WON THAT ELECTION AND PRESENTED HIMSELF FOR ADMISSION TO THE 90TH CONGRESS.

SPEAKER MCCORMACK MEANTIME SAID HE BELIEVED THE HOUSE WOULD APPROVE THE COMMITTEE'S RECOMMENDATION ON SEATING AND CENSURING POWELL.

MCCORMACK, ON AN ALLIED QUESTION, SAID HE HAD NO PREFERENCE ABOUT THE HANDLING OF THE CURRENT ETHICS QUESTION BEFORE THE HOUSE--WHETHER TO CREATE A NEW ETHICS COMMITTEE OR TURN THE JOB OVER TO AN EXISTING ADMINISTRATION SUBCOMMITTEE.

"WHATEVER THE RULES COMMITTEE BRINGS OUT WILL BE BROUGHT UP IN THE HOUSE," MCCORMACK SAID.

THE RULES COMMITTEE RESUMES HEARINGS ON THE QUESTION TOMORROW.

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0-19 (Rev. 12-9-66)

POWELL PREPARED TO MAKE NEW RACE

Says That If He Loses Seat He Would Win Election 'Even If I'm Dead'

By THOMAS A. JOHNSON
Special to The New York Times

BIMINI, the Bahamas, Feb. 25—Representative Adam Clayton Powell said today that if he lost his seat in Congress he would run again, and predicted he would win.

"Even if I'm dead—as long as they keep me propped up—I will be elected," he told a crowd of newsmen and tourists as he stepped onto a dock after a boat trip here from his home on nearby South Bimini Island.

Mr. Powell was referring to the possibility that he might lose his seat even though a resolution in the House calling for his censure did not directly recommend his ouster. Rather, it proposed that if Mr. Powell had not taken the oath of office by March 13, the House would notify Governor Rockefeller that the Harlem Democrat's seat was vacant.

[A report issued last week by the New York Presbytery urging that Mr. Powell be seated in Congress and reinstated as chairman of the House Education and Labor Committee has raised a storm of protest among Presbyterians in New York. One layman described the statement as a "sactimonious fraud."]

The March 13 deadline was proposed by a House select committee, which recommended last Thursday that Mr. Powell be seated but that he be punished for "gross misconduct" by public censure, loss of seniority, an assessment of $40,000, and the removal from the House payroll of a secretary who has been his traveling companion.

Mr. Powell has been paid his salary but denied his seat in the House for the last five weeks. The House is scheduled to take up the committee recommendations next Wednesday.

Once he takes the oath of office, Mr. Powell subjects himself to the authority of the House Sergeant-at-Arms. Should he refuse to be escorted to the House for the censure, the Speaker has the authority to issue a warrant for his arrest, thus empowering the Sergeant-at-Arms to bring him to the House by force if necessary.

Although Washington observers said it was conceivable that Mr. Powell might take the oath and then refuse to stand for censure, they did not expect this to happen. If it did, the House would have to figure out a way to solve the problem, because no precedent exists for this circumstance.

Renomination Forecast

Last Thursday night, Manhattan Borough President Percy Sutton assured a group of Harlem residents that, if necessary, the Democratic party in Harlem would renominate Mr. Powell for Congress.

Mr. Sutton told the Harlem Citizens for Community Action that he was a Democratic district leader in an area that covered more than one-third of Mr. Powell's constituency, and that this guaranteed the Representative's renomination.

Mr. Powell arrived here at 2:15 P.M. at a dock near the Captain Harcourt Brown Hotel. He was met by newsmen, Biminians and tourists.

He refused to participate in any direct discussion of the House committee's recommendations. Earlier, he had called off a news conference scheduled for today, apparently on the advice of a battery of lawyers with whom he is scheduled to meet here tomorrow.

Mr. Powell was dressed in faded blue dungarees, blue shirt, blue jacket and blue sneakers. A larges red bandana hung rakishly out of his back pocket, and he chain-smoked small cigars.

One reporter asked him if race were the determining factor in the committee's recommendations agaistn him.

"Waist?" Mr. Powell said with a smile. "My size is 35."

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The Washington Post
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The Washington Daily News
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World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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Leads Group to Bar

He led the group of welcomers to the End of the World bar nearby, where he has held impromptu news conferences before.

Questioned on how his record, "Keep the Faith, Baby" was selling, he replied that he was "doing poorly."

"I've only collected $45,000," he said with a grin. His profits from the record will help to pay off a defamation award won by Mrs. Esther James, a Harlem widow.

Asked about the civil rights movement, Mr. Powell, paraphrasing A. Philip Randolph, the civil rights leader, replied that the "conventional civil rights movement is at an end."

"Our next move," he said, "is to really help the poor of America."

He said that 60 bills approved by the Education and Labor Committee, which he headed until he was recently relieved of the post, had been aimed at ending poverty. He specifically mentioned the minimum wage law and the antipoverty bill.

Asked if he were sorry about anything, Mr. Powell answered: "I'm sorry more Negroes and poor whites don't have equal rights in this country."

Misuse of Funds Charged

The $40,000 sum assessed against Mr. Powell in the committee's recommendation would be used to pay any amount he may owe the House of Representatives. The sum resulted from findings that Mr. Powell had misused public funds by drawing a salary for his wife in violation of House rules and by using these funds for travel expenses of members of his personal staff.

Under the recommendation, $1,000 a month would be withheld from his $30,000 annual salary and credited to the $40,000 assessment.

Last week, Representative Emanuel Celler, the Brooklyn Democrat who headed the select committee, said that if Mr. Powell ran in a special election he "probably would be re-elected."

He added, however, that it would "still be the 90th Congress," and the assessment would be levied.

Leaders on both sides of the House were said to believe there were enough votes to insure the adoption of the resolution to censure Mr. Powell.

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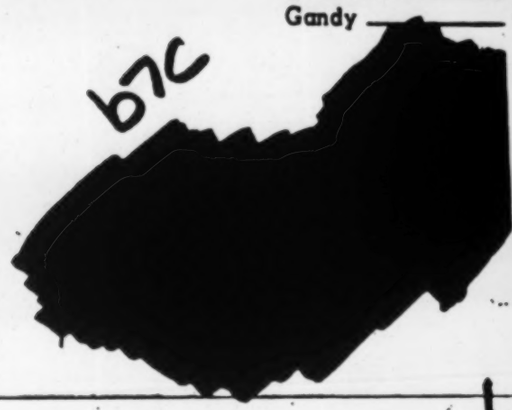

UPI-43

(POWELL)

WASHINGTON--THE SUPREME COURT RULED TODAY THAT THE HOUSE OF REPRESENTATIVES IMPROPERLY EXCLUDED REP. ADAM CLAYTON POWELL, D-N.Y., FROM THE 90TH CONGRESS ON MARCH 1, 1967.

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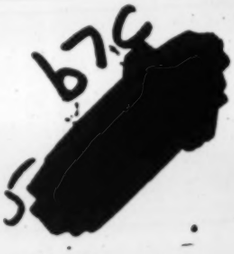

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FOR MR. TOLSON

WASHINGTON CAPITAL NEWS SERVICE

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UPI-46
ADD 1 POWELL, WASHINGTON (UPI-43)
IN A 62-PAGE OPINION, CHIEF JUSTICE EARL WARREN SAID THAT "SINCE ADAM CLAYTON POWELL JR. WAS DULY ELECTED BY THE VOTERS OF THE 18TH CONGRESSIONAL DISTRICT OF NEW YORK AND WAS NOT INELIGIBLE TO SERVE UNDER ANY PROVISION OF THE CONSTITUTION, THE HOUSE WAS WITHOUT POWER TO EXCLUDE HIM FROM ITS MEMBERSHIP."
WARREN SAID POWELL'S DEMAND OF BACK PAY SHOULD BE CONSIDERED FIRST BY LOWER COURTS.
THE NEGRO PREACHER-POLITICIAN FROM HARLEM HAS SINCE BEEN SEATED IN THE 91ST CONGRESS BUT WAS STRIPPED OF HIS SENIORITY AND FINED $25,000. HE NEVERTHELESS PURSUED HIS APPEAL, ON THE GROUND THAT THE HOUSE OWED HIM BACK PAY AND RESTORATION OF HIS SENIORITY.
HE CLAIMED THE 91ST CONGRESS CONTINUED THE ILLEGAL ACTION OF THE 90TH BY FINING HIM.
'6/16--GE1107A

FOR A. JONES

WASHINGTON CAPITAL NEWS SERVICE

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UPI -47

ADD 2 POWELL, WASHINGTON

POWELL'S EXPULSION WAS BASED ON FINDINGS OF A SPECIAL COMMITTEE THAT THE CONGRESSMAN FROM THE 18TH NEW YORK DISTRICT HAD BEEN CONTEMPTUOUS OF NEW YORK STATE COURTS, HAD MISUSED PUBLIC FUNDS AND HAD REFUSED TO COOPERATE WITH HOUSE COMMITTEES INVESTIGATING HIS ACTIVITIES.

A FEDERAL DISTRICT COURT HERE DISMISSED HIS LAWSUIT, INITIALLY FILED TO REGAIN HIS SEAT, ON THE GROUND THAT IT HAD NO JURISDICTION OVER THE SUBJECT MATTER.

THE U.S. COURT OF APPEALS FOUND JURISDICTION BUT DECLINED TO EXERCISE IT FOR A VARIETY OF REASONS. THE LOWER COURT SAW THE POSSIBILITY OF AN UNHAPPY CONFRONTATION BETWEEN TWO CO-EQUAL BRANCHES OF GOVERNMENT.

TODAY'S VOTE WAS 7 TO 1, WITH JUSTICE POTTER STEWART THE LONE DISSENTER. HE SAID THE CASE IS DEAD.

6/16--GE1109A

FOR MR. TOLSON
WASHINGTON CAPITAL NEWS SERVICE

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UPI-50
ADD 3 POWELL, WASHINGTON

WARREN SAID CONGRESS IS LIMITED TO THE "STANDING QUALIFICATIONS" PRESCRIBED FOR ITS MEMBERS IN THE CONSTITUTION. THESE ARE AGE (25 YEARS), CITIZENSHIP AND RESIDENCE.

LAWYERS REPRESENTING THE HOUSE RELIED ON ARTICLE 1, SECTION 5 OF THE CONSTITUTION, WHICH PROVIDES THAT "EACH HOUSE SHALL BE THE JUDGE OF THE ELECTIONS, RETURNS AND QUALIFICATIONS OF ITS OWN MEMBERS." THEY ARGUED THAT UNDER THIS PROVISION THE ACTION AGAINST POWELL IS NOT SUBJECT TO JUDICIAL SCRUTINY.

BUT WARREN SAID THIS LANGUAGE CONSTITUTES MERELY A COMMITMENT TO "JUDGE ONLY THE QUALIFICATIONS EXPRESSLY SET FORTH IN THE CONSTITUTION." HE SAID IT DOES NOT BAR FEDERAL COURTS FROM ADJUDICATING THE CLAIMS.

"UNQUESTIONABLY CONGRESS HAS AN INTEREST IN PRESERVING ITS INSTITUTIONAL INTEGRITY, BUT IN MOST CASES THAT INTEREST CAN BE SUFFICIENTLY SAFEGUARDED BY THE EXERCISE OF ITS POWER TO PUNISH ITS MEMBERS FOR DISORDERLY BEHAVIOR AND, IN EXTREME CASES, TO EXPELL A MEMBER WITH THE CONCURRENCE OF TWO-THIRDS," THE OPINION SAID.

"IN SHORT, BOTH THE INTENTION OF THE FRAMERS (OF THE CONSTITUTION), TO THE EXTENT IT CAN BE DETERMINED, AND AN EXAMINATION OF THE BASIC PRINCIPLES OF OUR DEMOCRATIC SYSTEM PERSUADE US THAT THE CONSTITUTION DOES NOT VEST IN THE CONGRESS A DISCRETIONARY POWER TO DENY MEMBERSHIP BY A MAJORITY VOTE."

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FOR MR. TOLSON
WASHINGTON CAPITAL NEWS SERVICE

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UPI-53
ADD 4 POWELL, WASHINGTON
SO FAR AS A CONFRONTATION WITH CONGRESS IS CONCERNED, WARREN SAID "OUR SYSTEM OF GOVERNMENT REQUIRES THAT FEDERAL COURTS ON OCCASION INTERPRET THE CONSTITUTION IN A MANNER AT VARIANCE WITH THE CONSTRUCTION GIVEN THE DOCUMENT BY ANOTHER BRANCH."
"THE ALLEGED CONFLICT THAT SUCH AN ADJUDICATION MAY CAUSE CANNOT JUSTIFY THE COURT'S AVOIDING THEIR CONSTITUTIONAL RESPONSIBILITY.
WARREN CITED THE COURT'S OPINION OPENING THE DOORS OF FEDERAL COURTS TO COMPLAINTS ABOUT RURAL DOMINATION OF STATE LEGISLATURES. THAT CASE WAS ALSO DESCRIBED BY SOME AS "POLITICAL" AND OUTSIDE THE COURT'S JURISDICTION.
HE SAID THERE ARE "JUDICIALLY MANAGEABLE STANDARDS" FOR DECIDING THE CASE AND "IT IS THE RESPONSIBILITY OF THIS COURT TO ACT AS THE ULTIMATE INTERPRETER OF THE CONSTITUTION."
6/16--GE1127A

FOR MR. TOLSON
WASHINGTON CAPITAL NEWS SERVICE

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UPI-151

(POWELL)

WASHINGTON--THE HOUSE, TAKING A RARE AND HISTORIC STEP, VOTED TODAY TO BAR THE ONCE-POWERFUL ADAM CLAYTON POWELL FROM SITTING IN THE 90TH CONGRESS.

MEMBERS REJECTED THE CONSTITUTIONAL ARGUMENTS OF THEIR LEADERS AND THEIR EXPERTS. INSTEAD THEY HEEDED THE MAIL FROM HOME AND DEMANDS THAT THE FLAMOYANT MINISTER-POLITICIAN BE THROWN OUT OF CONGRESS.

AFTER TURNING DOWN A SEAT-AND-PUNISHMENT PLAN DRAFTED BY A SPECIAL COMMITTEE WHICH INVESTIGATED POWELL, THE HOUSE MOVED SWIFTLY TO "EXCLUDE" HIM.

POWELL WAS EXCLUDED RATHER THAN EXPELLED--WHICH TAKES A TWO-THIRDS VOTE--BECAUSE HE NEVER ENTERED THE 90TH CONGRESS. ON OPENING DAY, JAN. 10, HE WAS TEMPORARILY BARRED PENDING THE OUTCOME OF A FIVE-WEEK INVESTIGATION.

THEN, AS NOW, THE CHARGES WERE THE SAME--THAT POWELL MISUED PUBLIC FUNDS THROUGH IMPROPER TRAVEL AND PAYROLL PADDING.

AFTER THE COMMITTEE'S PLAN WAS REJECTED, REP. THOMAS CURTIS, R-MO., MOVED THAT POWELL BE EXCLUDED FROM THE 90TH CONGRESS AND THAT SPEAKER JOHN W. MCCORMACK, D-MASS., NOTIFY NEW YORK GOV. NELSON ROCKEFELLER THAT THE HOUSE SEAT FOR THE 18TH DISTRICT WAS "VACANT."

UNLIKE THE DEBATE ON THE COMMITTEE PLAN, THE SECOND DEBATE WAS DESULTORY. MANY MEMBERS WHO VOTED WITH THE LEADERSHIP NOW VOTED TO EXCLUDE POWELL--FEELING THEY HAD TO GO ON RECORD IN FAVOR OF SOME ACTION AGAINST HIM.

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-182
ADD 1 POWELL, WASHINGTON (UPI-181)
THE LAST TIME A MEMBER WAS EXCLUDED WAS IN 1921, WHEN THE HOUSE BLOCKED MILWAUKEE SOCIALIST VICTOR BERGER FROM TAKING HIS SEAT. OPINIONS DIFFER ON HOW MANY TIMES A MEMBERS HAVE BEEN EXCLUDED BUT FIVE IS CONSIDERED THE MAXIMUM.
REP. EMANUEL CELLER, D-N.Y., CHAIRMAN OF A SPECIAL COMMITTEE WHOSE ADVICE THE HOUSE REJECTED IN REFUSING TO SEAT POWELL AND CENSURE AND FINE HIM, PREDICTED POWELL WOULD RUN FOR RE-ELECTION, WIN, AND RETURN TO THE HOUSE, FORCING ANOTHER TEST.
HE ALSO FORECAST A COURT TEST OF THE WHAT HE CONSIDERED UNCONSTITUTIONAL ASPECTS OF TODAY'S ACTION.
"I'D GO TO COURT RIGHT AWAY," HE SAID WHEN ASKED WHETHER HE THOUGHT POWELL WOULD DO SO. "HE'S GOT A GOOD CASE."
THE CRUCIAL TEST CAME NOT ON THE VOTE TO EXCLUDE POWELL BUT ON A PARLIAMENTARY MOTION TO CUT OFF DEBATE AND BAR AMENDMENTS TO THE RESOLUTION SENT TO THE HOUSE BY THE CELLER COMMITTEE.
THE PANEL HAD RECOMMENDED THAT BECAUSE POWELL MET THE CONSTITUTIONAL QUALIFICATIONS OF AGE, CITIZENSHIP AND RESIDENCE HE SHOULD BE SEATED--AND THEN SLAPPED WITH THE HARSHEST PUNISHMENT EVER DEALT TO A MEMBER. IT INCLUDED A $40,000 FINE, LOSS OF HIS 22 YEARS OF SENIORITY AND A PUBLIC CENSURE.
DESPITE ITS ENDORSEMENT BY LEADERS OF BOTH PARTIES RANK AND FILE MEMBERS DEMANDED INSISTED THE DISCIPLINE WAS NOT SEVERE ENOUGH. IT REJECTED THE PLAN BY A VOTE OF 222 TO 202.
CELLER OBJECTED TO THE FINAL ACTION ON TWO LEGAL GROUNDS: FIRST, HE SAID THE HOUSE COULD NOT PROPERLY GO BEYOND THE THREE CONSTITUTIONAL QUALIFICATIONS FOR MEMBERSHIP; AND SECOND, THAT THE RESOLUTION NOT ONLY BARRED POWELL FROM MEMBERSHIP NOW BUT AT ANY TIME DURING THE 90TH CONGRESS.
HE PREDICTED THE FIRST POINT WILL BE TESTED IN COURT, AND THAT THE SECOND WOULD RISE TO PLAGUE THE HOUSE LATER--WHEN, IF AS EXPECTED, POWELL RUNS AND IS ELECTED AGAIN.
ASKED WHAT HAPPENED TODAY, CELLER SAID MEMBERS DISREGARDED THE CONSTITUTIONAL AND LEGAL ARGUMENTS OF THEIR COMMITTEE AND THEIR LEADERS, AND VOTED WITH THHE HOMEFOLKS. "THERE HAS BEEN A TREMENDOUS AMOUNT OF MAIL, CALLING THIS FELLOW EVERY NAME UNDER THE SUN."
"IT WAS RATHER SURPRISING," SAID CELLER. "I DIDN'T THINK THIS WOULD BE THE RESULT."
3/1--MJ626PES

WASHINGTON CAPITAL NEWS SERVICE

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UPI-184
ADD 2 POWELL, WASHINGTON

THE EXCLUSION RESOLUTION WAS APPROVED ON A ROLL CALL, 248 TO 176.

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-190
ADD 2 POWELL, WASHINGTON
IN ARGUING FOR EXCLUSION, CURTIS SAID POWELL'S CONDUCT WARRANTED THE STERN ACTION AND THAT THE WAY HE READ THE CONSTITUTION THE HOUSE WAS FULLY WITHIN ITS RIGHTS TO BAR HIM.
REP. SAM GIBBONS, D-FLA., A LONGTIME FOE OF POWELL'S, SAID FIVE MEMBERS OF CONGRESS HAD BEEN EXCLUDED IN THE HISTORY OF THE REPUBLIC.
"DON'T BE DELUDED THAT WE ARE TAKING POWERS THAT ARE NOT OURS," HE SAID.
REP. CLAUDE PEPPER, D-FLA., THE ONE MEMBER OF THE COMMITTEE WHO TRIED TO KEEP POWELL OUT OF THE HOUSE, SAID HE THOUGHT THE CONSTITUTIONALLY CORRECT WAY TO DO THE JOB WOULD BE TO SEAT AND THEN EXPEL POWELL. BUT IF THAT WASN'T POSSIBLE, PEPPER TOLD THE HOUSE, HE WOULD FOLLOW HOUSE PRECEDENTS AND VOTE TO EXCLUDE.
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WASHINGTON CAPITAL NEWS SERVICE

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UPI-192
ADD 3 POWELL, WASHINGTON
ON CURTIS' EXCLUSION MOTION, 123 DEMOCRATS AND 125 REPUBLICANS VOTED TO BAR POWELL FROM CONGRESS WHILE 117 DEMOCRATS AND 59 REPUBLICANS VOTED TO READMIT HIM.
REP. LOUIS WYMAN, R-N.H., ACCUSED POWELL OF DEFYING THE HOUSE IN HIS REFUSAL TO ANSWER THE SPECIFIC CHARGES AGAINST HIM. POWELL, UPON THE ADVICE OF HIS LAWYERS, REFUSED TO DISCUSS THE CHARGES, CLAIMING THAT THE COMMITTEE UNDER THE CONSTITUTION COULD ONLY ASK HIM ABOUT HIS AGE, CITIZENSHIP AND RESIDENCE.
REP. H. R. GROSS, R-IOWA, SCOFFED AT THE IDEA OF THE FINE WHICH WOULD HAVE BEEN EXTRACTED FROM POWELL'S PAY AT THE RATE OF $1,000 A MONTH.
"IT'S IN THE NATURE OF PICKING THE TAXPAYER'S POCKET TO PAY A CULPRIT'S FINE," HE DECLARED.
REP. DURWARD HALL, R-MO., ACCUSED POWELL OF "FORGERY AND LARCENY."
3/1--MJ706PES

WASHINGTON CAPITAL NEWS SERVICE

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UPI-195

ADD 4 POWELL, WASHINGTON

AFTER THE COMMITTEE'S RECOMMENDATION WAS REJECTED, 222 TO 202, IT TOOK THREE ROLL CALLS TO WRAP UP THE FINAL EXCLUSION MOVE. THE FIRST CAME ON A PARLIAMENTARY TEST--CLOSING DEBATE AND BARRING FURTHER AMENDMENT. THAT CARRIED 263 TO 161. THEN CAME VOTE ON THE EXCLUSION AMENDMENT ITSELF. THAT CARRIED 248 TO 176. THEN CAME A FINAL VOTE ON ADOPTING THE RESOLUTION AS AMENDED. THIS ALSO WAS APPROVED, 307 TO 116.

AND THAT, AT 6:50 P.M., SHOULD HAVE DONE IT. AND FOR PRACTICAL PURPOSES, IT DID. AS OF THAT MOMENT, POWELL WAS THROUGH. HIS PAY WAS STOPPED. HE WAS EXPECTED TO CLEAR OUT OF HIS PLUSH OFFICE BUILDING SUITE AT ONCE. HOW LONG HE WOULD GET TO TAKE CARE OF THIS CHORE WAS UP TO THE SPEAKER.

BUT EVEN THEN, THE LONG DAY'S WRANGLING WASN.T OVER. MEMBERS LEARNED, TO THEIR SURPRISE, THAT THEY HAD APPROVED THE RESOLUTION, AS AMENDED, BUT THAT THEY HADN'T APPROVED THE "PREAMBLE."

THIS WAS THE BILL OF PARTICULARS--THE "WHEREAS" CLAUSES THAT PRECEDED THE RESOLUTION ITSELF. THAT MEANT ANOTHER ROLL CALL OR TWO. BUT THESE WERE ANTI-CLIMAX. THE STORY WAS ALREADY TOLD.

POWELL'S LAWYERS ISSUED A STATEMENT CLAIMING THAT HIS EXCLUSION WAS UNCONSTITUTIONAL. THEY SAID THAT WITHIN A FEW DAYS THEY WOULD MAKE AN ANNOUNCEMENT IN POWELL'S BEHALF "AS TO ANY FUTURE COURSE OF ACTION."

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UPI-75

(POWELL)

WASHINGTON--ADAM C. POWELL, WITH A BAD CONDUCT DISCHARGE, WENT OFF THE HOUSE PAYROLL TODAY. THERE WAS A GOOD CHANCE SOME OF HIS STAFF COULD STAY ON, TO HANDLE BUSINESS OF THE OUSTED LAWMAKER'S HARLEM CONGRESSIONAL DISTRICT.

WHILE POWELL PREPARED TO TAKE HIS CASE TO THE COURTS SPEAKER MCCORMACK NOTIFIED GOV. ROCKEFELLER THE SEAT POWELL HELD FOR 22 YEARS WAS NOW VACANT.

MEANTIME REP. DONALD W. RIEGLE, JR., R-MICH., WARNED THE HOUSE AGAINST SWEEPING THE REST OF THE CONGRESSIONAL ETHICS PROBLEM UNDER THE RUG IN THE WAKE OF YESTERDAY'S VOTE TO BAR POWELL.

RIEGLE, WHO VOTED AGAINST THROWING POWELL OUT OF THE HOUSE, TOLD MEMBERS HE CAME TO THE CHAMBER TODAY "WITH A BAD TASTE" IN HIS MOUTH BECAUSE OF YESTERDAY'S ACTION BY MEMBERS IN REJECTING A COMMITTEE PROPOSAL TO CENSURE AND FINE POWELL BUT SEAT HIM.

HE CALLED ON DEMOCRATS TO GET TOGETHER WITH FRESHMAN REPUBLICANS WHO EARLIER THIS WEEK JOINED IN SPONSORING A PROPOSAL TO ADOPT AN ETHICAL CODE FOR THE HOUSE AND CREATE A NEW HOUSE COMMITTEE ON ETHICS TO ENFORCE IT.

"THE PEOPLE ARE WAITING," SAID RIEGLE. "WE MUST NOT STOP WITH POWELL'S EXCLUSION. I URGE THE HOUSE TO COMPLETE THE JOB OF ETHICS AND REFORM."

3/2--JG1227P

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WASHINGTON CAPITAL NEWS SERVICE

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UPI-81

ADD 1 POWELL, WASHINGTON (UPI-78)

POWELL'S $30,000 A YEAR SALARY WAS TERMINATED AT MIDNIGHT. THE QUESTION OF WHAT TO DO ABOUT HIS CONGRESSIONAL STAFF, INCLUDING CORRINE HUFF, THE SECRETARY IN WHOSE COMPANY HE HAS SPENT CONSIDERABLE TIME AT HIS FISHING RETREAT IN THE BAHAMAS, WAS STILL UP IN THE AIR.

HOUSE RULES PROVIDE FOR MAINTAINING A STAFF IN A CONGRESSIONAL OFFICE VACATED BY DEATH OR RESIGNATION. THIS IS TO MAKE SURE CONSTITUENTS IN THE UNREPRESENTED DISTRICT ARE NOT LEFT COMPLETELY OUT IN THE COLD.

THERE IS NO SPECIFIC PROVISION FOR MAINTAINING A STAFF IN THE CASE OF AN OFFICE VACATED BY EXCLUSION OF THE MEMBER-ELECT. HOWEVER, INDICATIONS WERE SOME STAFF WOULD BE LEFT IN POWELL'S OFFICE, THOUGH NOT NECESSARILY ALL, OR ALL OF THE SAME, PEOPLE PUT ON THE PAYROLL BY POWELL.

MISS HUFF, PRESUMABLY, WILL BE FIRED, AS WAS RECOMMENDED BY THE SPECIAL COMMITTEE WHOSE PROPOSAL TO CENSURE, FINE AND SEAT POWELL WAS TURNED DOWN BY THE HOUSE.

SEVERAL SECRETARIES REMAINED AT WORK TODAY IN THE PLUSH RAYBURN HOUSE OFFICE BUILDING SUITE FORMERLY ASSIGNED TO POWELL. THEY SAID THEY HAD HEARD NOTHING ABOUT BEING FIRED.

STILL ON THE WALL WERE POWELL'S MOUNTED SAILFISH AND HIS FRAMED COPY OF A LETTER FROM PRESIDENT JOHNSON PRAISING HIS WORK AS CHAIRMAN OF THE EDUCATION AND LABOR COMMITTEE.

SENIOR HOUSE MEMBERS MEANTIME WERE EYEING THE CHOICE SUITE, AND WHOEVER AMONGST THE CLAIMANTS HAS THE MOST SENIORITY WILL GET IT, VERY SHORTLY. POWELL WILL GET A "REASONABLE TIME" TO CLEAR OUT HIS EFFECTS.

WHATEVER STAFF IS LEFT TO HANDLE HIS DISTRICT AFFAIRS WILL BE ASSIGNED A LESS DESIRABLE SUITE, IN ONE OF THE TWO OLDER HOUSE OFFICE BUILDINGS. THEY WILL GO ON THE PAYROLL OF HOUSE CLERK PAT JENNINGS, A FORMER DEMOCRATIC HOUSE MEMBER FROM VIRGINIA, AND JENNINGS WILL BE THEIR NEW BOSS.

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UPI-128

(POWELL)

ALBANY, N.Y.--THE NEW YORK STATE COURT OF APPEALS TODAY OVERTURNED A $156,000 FRAUD JUDGMENT AGAINST ADAM CLAYTON POWELL IN A SUIT STEMMING FROM A LIBEL CASE BROUGHT HIM BY HARLEM WIDOW ESTHER JAMES.

MRS. JAMES HAD CHARGED THAT POWELL HAD FRAUDULANTLY TRANSFERRED PROPERTY HE OWNED IN PUERTO RICO TO RELATIVES OF HIS WIFE, YVETTE, IN ORDER TO ESCAPE PAYING THE ORIGINAL $46,500 LIBEL JUDGMENT AGAINST POWELL FOR CALLING THE HARLEM WIDOW A GRAFT COLLECTOR.

THE HIGH COURT RULED THAT THE APPELATE DIVISION SHOULD NOT HAVE AWARDED MRS. JAMES $100,000 IN PUNITIVE DAMAGES. THE COURT ALSO SAID THAT THE PART OF THE SUIT INVOLVING $56,000 IN COMPENSATORY DAMAGES WOULD HAVE TO BE RETURNED TO SUPREME COURT IN NEW YORK COUNTY.

THE APPEALS COURT RETURNED THE COMPENSATORY DAMAGES SECTION OF THE SUIT TO THE LOWER COURT BECAUSE IT HAD WRONGFULLY BEEN DECIDED ON THE BASIS OF NEW YORK LAW. THE HIGH COURT SAID IT SHOULD HAVE BEEN DECIDED ON THE BASIS OF PUERTO RICAN LAW WHERE THE PROPERTY IN QUESTION WAS LOCATED.

THE PUNITIVE DAMAGES WERE THROWN OUT BECAUSE THEY STEMMED FROM A SUIT SUBSEQUENT TO THE LIBEL JUDGMENT AND WERE NOT ACTUALLY IN PAYMENT FOR LIBEL DAMAGES.

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9-19 (Rev. 12-8-66)

RACISM CHARGED

Negro Leaders Warn of Reaction in Ghetto Areas

By SYLVAN FOX

Negro leaders reacted angrily last night to the exclusion of Adam Clayton Powell from his seat in Congress.

Several predicted that the Harlem Democrat would be re-elected to the seat in the special election that now must be held to fill the vacancy created by his exclusion.

Others warned that Congress's action could have dangerous effects on racial harmony in the United States.

Almost without exception, the Negro leaders—and many Negroes on the streets of Harlem—saw the exclusion of Mr. Powell as an act of racism.

"The expulsion of Adam Clayton Powell is a slap in the face to every black man in this country," said Floyd McKissick, executive director of the Congress of Racial Equality.

"The issue goes much farther than Powell," he went on. "It goes to the question of whether black people are going to have the representative of their choice to stand and speak for them." He continued:

'Mockery of Democracy'

"Without Adam up there, I'm afraid we'll have nobody to say it, to represent the masses. He was more than a mere Representative from Harlem. Notwithstanding any faults Adam had—and I openly concede that Adam had faults—there has never been a black man in the Congress to articulate the way Adam has done for the ghetto and the black masses.

"Congress may well regret the fact that it will not have a voice that touches the ghetto and reaches the masses to articulate their feelings, frustrations, aspirations, anger and despair."

Mr. McKissick said that the House [illegible] we've always stated that we need to call together a conference of black people to discuss

[illegible] Philip Randolph, vice president of the A.F.L.-C.I.O. executive council and a resident of Mr. Powell's 18th Congressional district, called the exclusion of Mr. Powell "a mockery of democracy without precedent."

Mr. Randolph said that Congress, in barring Mr. Powell, had nullified the "constitutional right of the citizens of the 18th Congressional District to vote."

"It is a feeling by the Negro masses that this apparent conspiracy by members of the House of Representatives against Powell is also a conspiracy against Negroes in general," said the union official.

"It could generate a racial reaction with overtones of violence and disorder and misguided revenge. Black racism can be as dangerous, ugly, indefensible and antisocial as white racism. This we must avoid."

Most Difficult Problem

The American Federation of Labor and Congress of Industrial Relations executive added, however, that "the action of the House has made it difficult for Negro leaders to channel constructively the burning and explosive sense of racial injustice which millions feel they along with Powell are the victims of."

"It is," said Mr. Randolph, "practically a universal feeling among Negroes in every section of the nation that Powell is the victim of racial discrimination by his colleagues in the House."

Bayard Rustin, director of the A. Philip Randolph Institute and, along with Mr. Randolph, one of the leaders of the 1963 March on Washington, called the exclusion of Mr. Powell a "monstrous and totally unjust act."

"In the end it is meaningless because the people of Harlem will elect him again and again and again," Mr. Rustin said.

Blow to Race Relations

Mr. Powell's exclusion, Mr. Rustin said, "leaves the people of Harlem at a most crucial moment in their history without representation in Congress, and this is not calculated to bring about better racial relations. On the contrary, it is a very, very serious blow."

Mr. Rustin predicted that Mr. Randolph would call a conference of civil rights leaders within a few weeks to discuss the ramifications of the exclusion.

At the Abyssinian Baptist Church, Mr. Powell's pastorate, the Rev. David Licorish said that it was not Mr. Powell who was rejected but "the voters of the 18th Congressional District."

Mr. Livoris [illegible] of the church, added that Congress was "tampering with the rights of the people" in enacting Mr. Powell.

"If Congress becomes a law unto itself and has no binding instrument to direct it better, he said, "then we are heading for anarchy."

Hulan Jack Comments

"All of us in his Congressional district as Negroes are extremely angry at the action taken by Congress," said Hulan Jack, former Borough President of Manhattan. "We now serve notice that we will renominate and re-elect him by a far greater vote than he has ever received."

Mr. Jack is the leader of the New Deal Democratic Club in the 70th Assembly District.

Cleveland Robinson, national president of the Negro American Labor Council, announced that a rally would be held in support of Mr. Powell at 3 P.M. Sunday at the Abyssinian Baptist Church, which is at 132 West 138th Street.

"The people are prepared to elect him again and again and again until men of narrow vision come to their senses," Mr. Robinson said.

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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Dismissed in Harlem Bar

In the Red Rooster, a white comfortable Harlem bar where Mr. Powell often held forth after delivering a sermon at his church around the corner, discussion of the Congressional action was accompanied in the background by a Nancy Wilson record throbbing from a jukebox.

"They're trying to kill the nigger," an antipoverty official said, uttering the word in the wry way that Negroes use it among themselves.

"The handwriting is clear," he said. "They started out at a gallop and now they've even increased the speed. All they're trying to do is kill him."

Many who came into the red-upholstered bar had not heard the news about Mr. Powell. They reacted incredulously when told.

At another tavern on Lenox Avenue near 137th Street, Bill Spence, a building superintendent, leaned against the bar and said:

"I wasn't for Powell at first. I didn't give a damn. But now I'm behind him 150 per cent."

Feelings of Many

At Franks, a well-known Harlem restaurant at 125th Street near Eighth Avenue, Cecil Lane, a photographer, voiced the feelings of many Harlem residents.

"Adam hasn't done anything different than anyone else," he said. "The trouble is that the others can't take it, he's so flamboyant and cool about it. He's supposed to be humble and feel sorry for himself."

"Powell was just more wide open," said Curt Clemons, an anti-poverty worker. "Adam's done more for the Negro in Harlem than anyone else—white or colored."

The New York Times (by James Tarpley)

Adam Clayton Powell at a recently held news conference

6-19 (Rev. 12-8-66)

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Powell Expected to Take Battle for Seat to Court

Sets Fight To Reverse Expulsion

By ROBERT E. WALSH
Star Staff Writer

Congressmen who slammed the House door on Adam Clayton Powell stood firm today against an expected court challenge and any attempt by the Harlem Democrat to get his seat back through a special election.

Sources close to Powell said he plans to ask courts "within the next week" to overrule the House and give him back his seat.

Negro Leaders Rap House Action, Push Powell Re-Election. Page A-3
House Roll Call on Denying Seat to Powell. Page A-6

After rejecting, 222-202, a committee recommendation to seat but severely punish Powell, the House late yesterday overwhelmingly excluded him from the 90th Congress.

A 348-176 vote barred him from being sworn in as a House member and thus vacated his seat [illegible] since January 1945.

By a final vote of [illegible], the House declared:

"That said Adam Clayton Powell, member-elect from the 18th District of the State of New York, be and the same hereby is excluded from membership in the 90th Congress and that the Speaker of the House shall notify the governor of the State of New York of the existing vacancy."

Speaker John W. McCormack told New York Gov. Nelson A. Rockefeller in a letter today that a vacancy exists in Powell's district.

Rockefeller indicated that he will call a special election within 30 to 40 days after receiving the notification.

First Since 1919

Powell probably would win by an even bigger margin than his 76 percent majority last November. The temper of the House and the comments of many members made clear, however, that if he showed up again he would be kept out of this Congress.

Powell did not attend the six-hour session yesterday at which the House made him the sixth person in history to be excluded, the first since 1921 and the third in this century.

He has contended that the House was bound under the Constitution to seat him because he met age, citizenship and inhabitancy qualifications for membership.

In Bimini, Powell was at "The End of the World," a cafe, drinking and playing dominoes with friends when his congressional colleagues voted him out. He called the move "another Dred Scott decision."

Many House members of both

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington) A-1
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

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[illegible] there to [illegible] sentiment of their constituents [illegible] to their own disapproval of [illegible] conduct than they did to the [illegible] of arguments presented to the House.

Refusal to seat Powell not only rejected the hard-hitting proposals of a nine-member investigating committee but also overruled Democratic Leader Carl Albert and Republican Leader Gerald R. Ford.

House roll calls of 305-128 and 364-64 on Jan. 10 prevented the seating of Powell until the special committee of five Democrats and four Republicans investigated his qualifications and fitness.

Powell meanwhile, had continued to draw his $30,000 salary and keep his suite in the Rayburn House Office Building.

Powell was automatically dropped from the congressional payroll as soon as the House took its final vote.

Some question arose, however, as to whether members of his office staff would have to be taken off the payroll immediately. Also involved was the question as to whether Powell's suite in the Rayburn House Office Building could be kept open temporarily to handle matters from the Harlem district.

House regulations provide that after a member's death or resignation, the staff can be continued on the payroll for up to six months under the supervision of the House clerk. But there is no prevision relating to employes or office facilities of an excluded member.

[illegible] will be made by the House Building Commission, of which McCormack is chairman.

Panel's Proposals

The special committee headed by Emanuel Celler, D-N.Y., proposed that Powell be seated in order to avoid a possible constitutional challenge. But it urged that he be publicly censured in the House, be fined $40,000 of which $1,000 would be deducted from his monthly paycheck, and be deprived of all his seniority privileges.

The committee's resolution would have given Powell until March 13 to submit to the penalties. Otherwise his congressional seat would have been declared vacant.

Celler attacked the final action excluding Powell.

"It will come back to haunt the House," he said.

"If I were representing Adam Clayton Powell," Celler told reporters, "I'd take the case to court right away. I think he's got a good case."

The first test vote of 222-202 yesterday turned out to be the most crucial of all. That vote did not specifically defeat the committee's resolution but it opened the way for amendments. Rep. Thomas B. Curtis, R-Mo., promptly pushed for substitute language to exclude Powell.

On the 222-202 roll call, 109 Democrats and 113 Republicans voted to allow amendments. Another 131 Democrats and 71 Republicans wanted to shut off debate and ban changes in the committee's recommendations.

Rep. Rogers C. B. Morton, R-Md., was the only member from that state who voted to retain the committee's resolution and later against the Curtis substitute. Rep. Samuel N. Friedel, D-Md., did not vote.

The entire Virginia delegation voted to open the committee resolution to amendments. In the subsequent vote, Rep. John O. Marsh Jr., a Democrat, was the only Virginian to vote against the Curtis substitute.

Southerners Vote

Practically all Southerners voted for the much stricter action than the committee recommended against Powell. Other members of both parties took widely different positions. Of the five Negro members currently in the House, four voted to retain the committee recommendations. The fifth, Rep. William L. Dawson, D-Ill., was absent.

Following the 307-116 roll call that finally approved the committee's resolution as amended by the Curtis substitute, the [illegible] "[illegible]ambie" of the committee's [illegible]al resolution.

That section listed the committee's [illegible] position that Powell [illegible] age, citizenship and inhabitancy qualifications. But it found that Powell "improperly maintained" his estranged wife on his payroll at a $30,578 salary for which she did no work in recent years, that he permitted and participated in improper expenditure of congressional funds for trips on unofficial business, that he "brought discredit" on the House by ignoring the authority of New York state courts, and that he refused to cooperate in the committee's investigation.

Celler and Rep. Arch A. Moore, R-W. Va., the committee's ranking GOP member, urged the House to accept the committee's recommendations as being the most practical and constitutional that should be imposed.

Charges that racial prejudice against Powell as a Negro was involved in the proceedings were described by Celler as being "baseless because they are untrue and cruel because they mislead the Negro people and contribute to a possible backlash."

Albert's Advice

Albert advised the House to adopt the committee's seat-and-punish proposals as a "just punishment" and as a means of avoiding "extremist" action.

Ford recalled that he sponsored the move last January to prevent swearing in Powell pending a special committee investigation. The Republican leader told the House that a study of the committee's report convinced him that the House should approve the committee's recommendations without reservation and without change.

The two hours of general debate were generally calm and dealt much more with constitutional and procedural points than with specific complaints about Powell's conduct.

Rep. Albert W. Watson, R-S.C., a former Democrat who was stripped of his House seniority by Democratic members because he supported Barry Goldwater for president in 1964, delivered the most impassioned speech.

"We are not deciding the fate of Powell," he declared. "We are deciding the fate of this House. Powell is not on trial here but you and I are. The public believes Powell is guilty and expects us to do our duty."

President Johnson told reporters today he had no comment on the Powell matter, remarking that this was something reserved for the House by the Constitution.

—United Press International

Adam Clayton Powell makes his rounds of Bimini dressed in Bermuda shorts.

HOW HOUSE VOTED ON POWELL

Here's the 248-176 roll call vote by which the House yesterday excluded Adam Clayton Powell:

Democrats Yea (123)

Abbitt, Va.
Abernethy, Miss.
Anderson, Tenn.
Andrews, Ala.
Ashmore, S.C.
Aspinall, Colo.
Baring, Nev.
Bennett, Fla.
Boykin, Ala.
Brooks, Tex.
Brownlee, Tex.
Cabell, Tex.
Casey, Tex.
Clark, Pa.
Colmer, Miss.
Davis, Ga.
De La Garza, Tex.
Dorn, S.C.
Dowdy, Tex.
Downing, Va.
Edmondson, Okla.
Ellsberg, Pa.
Everett, Tenn.
Evins, Tenn.
Fallon, Md.
Fascell, Fla.
Fisher, Tex.
Flood, Pa.
Flynt, Ga.
Fountain, N.C.
Fulton, Tenn.
Gama, Fla.
Garmatz, Md.
Gathings, Ark.
Gettys, S.C.
Gibbons, Fla.
Hagan, Ga.
Haley, Fla.
Hamilton, Ind.
Hanna, Calif.
Hardy, Va.
Hechler, W. Va.
Henderson, N.C.
Herlong, Fla.
Hull, Mo.
Hungate, Mo.
Ichord, Mo.
Jarman, Okla.
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth, Minn.
Kazen, Tex.
Kee, W. Va.
Lennon, N.C.
Long, La.
Long, Md.
McMillan, S.C.
Macdonald, Mass.
Mahon, Tex.
Meeds, Wash.
Mills, Ark.
Montgomery, Miss.
Morgan, Pa.
Morris, N.M.
Natcher, Ky.
Nicholas, Ala.
Olsen, Mont.
O'Neal, Ga.
Passman, La.
Patman, Tex.
Pepper, Fla.
Pickle, Tex.
Poage, Tex.
Pool, Tex.
Price, Ark.
Pucinski, Ill.
Purcell, Tex.
Randall, Mo.
Rarick, La.
Rhodes, Pa.
Rivers, S.C.
Roberts, Tex.
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Rosenthal, N.Y.
Selden, Ala.
Shipley, Ill.
Sikes, Fla.
Slack, W. Va.
Staggers, W. Va.
Steed, Okla.
Stephens, Ga.
Stratton, N.Y.
Stubblefield, Ky.
Sweat, Ga.
Taylor, N.C.
Teague, Tex.
Teck, Va.
Tenney, Calif.
Van Deerlin, Calif.
Vigorito, Pa.
Waggonner, La.
Walker, Calif.
Walker, N.M.
Watts, Ky.
White, Tex.
Whitener, N.C.
Whitten, Miss.
Williams, Miss.
Willis, La.
Wright, Tex.
Young, Tex.

Democrats Against (117)

Adams, Wash.
Addabbo, N.Y.
Albert, Okla.
Annunzio, Ill.
Ashley, Ohio
Barrett, Pa.
Bingham, N.Y.
Blatnik, Minn.
Boggs, La.
Boland, Mass.
Bolling, Mo.
Brademas, Ind.
Brasco, N.Y.
Brooks, Tex.
Brown, Calif.
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Carey, N.Y.
Celler, N.Y.
Cohelan, Calif.
Conyers, Mich.
Corman, Calif.
Culver, Iowa
Daddario, Conn.
Daniels, N.J.
Delaney, N.Y.
Dent, Pa.
Diggs, Mich.
Dingell, Mich.
Donohue, Mass.
Dow, N.Y.
Duleski, N.Y.
Eckhardt, Tex.
Edward, Calif.
Evans, Colo.
Farbstein, N.Y.
Feighan, Ohio
Foley, Wash.
Wm. D. Ford, Mich.
Fraser, Minn.
Gallagher, N.J.
Giaimo, Conn.
Gilbert, N.Y.
Gonzalez, Tex.
Gray, Ill.
Green, Ore.
Green, Pa.
Griffiths, Mich.
Hanley, N.Y.
Hanson, Wash.
Hathaway, Maine
Hawkins, Calif.
Hays, Ohio
Helstoski, N.J.
Hicks, Wash.
Holifield, Calif.
Holland, Fla.
Howard, N.J.
Irwin, Conn.
Jacobs, Ind.
Jennings, W.J.
Karsten, Mo.
Kastenmeier, Wis.
Kelly, N.Y.
Kirwan, Ohio
Kluczynski, Ill.
McCarthy, N.Y.
McFall, Calif.
Madden, Ind.
Marsh, Va.
Matsunaga, Hawaii
Miller, Calif.
Minish, N.J.
Mink, Hawaii
Monagan, Conn.
Moorhead, Pa.
Moss, Calif.
Multer, N.Y.
Murphy, Ill.
Murphy, N.Y.
Nedzi, Mich.
Nix, Pa.
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Ottinger, N.Y.
Patten, N.J.
Perkins, Ky.
Philbin, Mass.
Pike, N.Y.
Price, Ill.
Reuss, Calif.
Resnick, N.Y.
Ronan, Wis.
Rodino, N.J.
Roncalio, Wyo.
Roosevelt, N.Y.
Rosenthal, N.Y.
Rostenkowski, Ill.
Roybal, Calif.
Ryan, N.Y.
St. Germain, R.I.
St. Onge, Conn.
Schever, N.Y.
Sisk, Calif.
Smith, Iowa
Sullivan, Mo.
Tenzer, N.Y.
Thompson, N.J.
Udall, Ariz.
Ullman, Ore.
Vanik, Ohio
C. H. Wilson, Calif.
Wolff, N.Y.
Yates, Ill.
Zablocki, Wis.

Republicans Yea (123)

Adair, Ind.
Andrews, N.D.
Ashbrook, Ohio
Ayres, Ohio
Battin, Mont.
Belcher, Okla.
Bell, Calif.
Bertz, P.B.
Betts, Ohio
Blackburn, Ga.
Bolton, Ohio
Bray, Ind.
Brock, Tenn.
Brotzman, Colo.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan, Ala.
Burke, Fla.
Burton, Utah
Bush, Tex.
Carter, Ky.
Cederberg, Mich.
Chamberlain, Mich.
Clancy, Ohio
D. Clawson, Calif.
Collier, Ill.
Corbett, Pa.
Cowger, Ky.
Cramer, Fla.
Cunningham, Neb.
Curtis, Mo.
Denney, Neb.
Devine, Ohio
Dickinson, Ala.
Dole, Kan.
Duncan, Tenn.
Edwards, Ala.
Esch, Mich.
Eshleman, Pa.
Fino, N.Y.
Fulton, Pa.
Gardner, N.C.
Goodling, Pa.
Grass, Iowa
Gubser, Calif.
Gude, Md.
Harvey, Fla.
Hall, Mo.
Halpern, N.Y.
Hansen, Schmidt, Ariz.
Hansen, Idaho
Harrison, Wyo.
Harsha, Ohio
Heckler, Mass.
Horton, N.Y.
Hosmer, Calif.
Hunt, N.J.
Hutchinson, Mich.
Johnson, Pa.
Jonas, N.C.
King, N.Y.
Kleppe, N.D.
Kuykendall, Tenn.
Kyl, Iowa
Langen, Minn.
Latta, Ohio
Lipscomb, Calif.
Lloyd, Utah
Lukens, Ohio
McClure, Idaho
McCulloch, Ohio
McDade, Pa.
McDonald, Mich.
Martin, Neb.
Mathias, Md.
Jay, Wash.
Mayne, Iowa
Miller, Ohio
Minshall, Ohio
Mize, Kan.
Myers, Ind.

Republicans Against (37)

Anderson, Ill.
Arends, Ill.
Bates, Mass.
Biester, Pa.
Bromfield, Mich.
Brown, Mich.
Button, N.Y.
Byrnes, Wis.
Del Clawson, Calif.
Cleveland, N.H.
Cunningham, N.Y.
Davis, Wis.
Dellenback, Ore.
Derwinski, Ill.
Dwyer, N.J.
Erlenborn, Ill.
Findley, Ill.
G. R. Ford, Mich.
Frelinghuysen, N.J.
Goodell, N.Y.
Grover, N.Y.
Halleck, Ind.
Harvey, Mich.
Keith, Mass.
Kuykendall, N.Y.
Laird, Wis.
McClory, Ill.
McEwen, N.Y.
MacGregor, Minn.
Mailliard, Calif.
Mathias, Calif.
Meskill, Conn.
Michel, Ill.
Moore, W. Va.
Morton, Md.
Mosher, Ohio
Pirnie, N.Y.
Reid, N.Y.
Rhodes, Ariz.
Ruppe, Mich.
Schadeberg, Wis.
Scherle, Iowa
Schneebeli, Pa.
Schwengel, Iowa
Scott, Va.
Shriver, Kan.
Stubblefield, Kan.
Smith, Calif.
Smith, Okla.
Snyder, Ky.
Steiger, Ariz.
Talcott, Calif.
Thompson, Ga.
Utt, Calif.
Vander Jagt, Mich.
Wampler, Va.
Watkins, Pa.
Watson, S.C.
Whalley, Pa.
Williams, Pa.
Winn, Kan.
Wyatt, Ore.
Wydler, N.Y.
Wylie, Ohio
Wyman, N.H.
Younger, Calif.
Zion, Ind.
Zwach, Minn.

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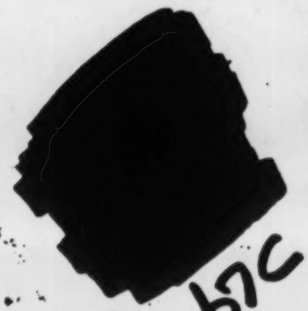

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Ousted Congressman Said to Have 'Good Case'

Adam Plans New Fight

By DAN THOMASSON
Scripps-Howard Staff Writer

Adam Clayton Powell plans to ask the courts "within the next week" to overrule the House and give him back his seat.

Sources close to Mr. Powell said his attorneys definitely would go into Federal court and ask the House be ordered to accept him.

The Harlem preacher-politician also is ready to announce his candidacy for election to that vacancy that was created yesterday when the House voted to "exclude" him from the 90th Congress.

According to the House's ranking legal expert, Rep. Emanuel Celler (D., N. Y.), Mr. Powell "has a good case."

If the case goes to the Supreme Court, it would set the stage for an unprecedented test of power between the high tribunal and Congress.

The House action barring Mr. Powell also had these effects:

It bolstered reports of growing dissatisfaction among members of both parties with their House leadership.

It strengthened demands for a permanent ethics committee and a strict code of conduct for congressmen.

The vote to reject a resolution to merely censure and fine Rep. Powell divided both Democratic and Republican leaders, who had strongly indorsed the position of a special committee headed by Rep. Celler.

TOO SOFT

It was clear most members felt the Celler Committee's recommendation was too soft in light of Mr. Powell's alleged misuse of funds and other indiscretions.

The 222-to-202 vote against the censure resolution came after Republican Leader Gerald Ford of Michigan urged GOP members to accept the recommendation and Majority Leader Carl Albert of Oklahoma had warned against "extremism."

But the members obviously were swayed more by mail from home than by these pleas. Many who had voted for censure reversed their positions and went against Rep. Powell on the motion to unseat him.

"We have a constituency to face," said one member when asked why he had voted for the motion by Rep. Thomas B. Curtis (R., Mo.) to deny Rep. Powell his seat — leaving New York's 18th district without a congressman. That motion was carried 248 to 176.

Rep. Curtis, a strong supporter of civil rights legislation, said he had pondered at length the question of what should be done about Rep. Powell. He said he could come up with only two words as the reason for his move when all was said and done — "close house."

The ethics question never has been more prominent in Congress and the action against Mr. Powell will help those who are demanding that a special committee be established to create and administer a strict code of conduct.

A big question as Mr. Powell's lawyers begin preparing their court case, is whether they will go to Supreme Court or go first to Federal District Court, which would be the normal route.

The court battle will hinge eventually on whether the Supreme Court will act on a case involving the internal action of Congress and whether the House constitutional right to determine the qualifications of a member is limited, as Rep. Powell claims, to age, residency and citizenship.

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World Journal Tribune (New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date 3-24-67

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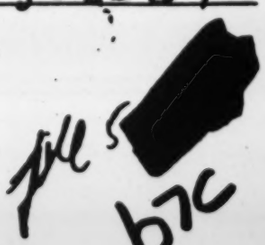

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0-19 (Rev. 12-9-66)

Negro Leaders Rap House Action, Push Powell Re-election

NEW YORK (AP) — Several Negro leaders say they are prepared to help elect Adam Clayton Powell to Congress again, and many Harlem residents are reacting angrily to his exclusion from the House.

A sampling of opinion showed Harlem residents are ready to vote again for the man who has represented them for 22 years.

Cleveland Robinson, national director of the Negro American Labor Council, said: "The people are prepared to elect him again and again and again until men of narrow vision come to their senses." He issued a call for a rally for Powell next Sunday.

Hulan Jack, former Manhattan Borough president, said: "We serve notice that we will renominate and re-elect him by a far greater vote than he has ever received."

Floyd McKissick, executive director of the Congress of Racial Equality, said: "The issue goes much farther than Powell. It goes to the question of whether black people are going to have the representative of their choice to stand and speak for them."

In an address at a charter day celebration, Howard University President James M. Nabrit Jr. said the exclusion of Powell demonstrated "there is one rule and one law for whites and another for the Negro."

He continued, "True, no man is above the law, but no man should be denied the law."

King's Reaction

In a statement issued through his Southern Christian Leadership Conference, Dr. Martin Luther King called the decision a "cynical and abusive step" which means the disfranchisement of a congressional district, Harlem.

"The fact that stands out," King said, "is that members of the House who were elected by their constituents have denied the right of another member's electorate to their own representation in Congress. . . . If there ever were any doubts about racial motives for the persecution of Congressman Powell, these doubts were erased today."

[illegible] his seat from the Georgia legislature to which he was elected, said: "I'm not a lawyer, but it would seem that the same things that were true in my case are true in Powell's. He meets the qualifications and he ought to be in Congress."

The Supreme Court ruled Dec. 5 that the Georgia House could not bar Bond. He was seated when the 1967 session convened Jan. 9 and was paid $2,000 in back pay.

Quiet in Harlem

In Harlem's bar and grills, fish and chip joints and shoeshine parlors, Negroes said they would "vote for Adam anytime and anywhere."

Despite the angry talk among Harlem residents, most Negroes said they were not surprised by the House action.

A biting wind and 20-degree weather in Harlem kept most discussions of Powell inside. The corner at 125th Street and Seventh Avenue, usually a hotbed of black nationalist activity was deserted.

Powell's church, the Abyssinian Baptist Church on 138th Street, was dark. One block away at the Red Rooster bar, where Powell holds court when he comes home, the chatter had drifted away from Harlem's most famous son to more personal subjects.

The Harlem office of CORE had received "almost no phone calls about Powell."

James Lawson, president of United African Nationalist Movement, called for Negroes to "adopt the slogan of Watts — 'burn, baby, burn.'"

Warn of Reaction

Several major civil rights leaders warned of possible violent reaction in Negro ghettoes.

Bayard Rustin, director of the A. Philip Randolph Institute, said the Powell issue "will bring more disorder and disarray into the relations between whites and Negroes. The majority of Negroes will conclude that this is a racist action."

McKissick said, "Congress may well regret the fact that it will not have a voice that touches the ghetto and reaches the masses to articulate their feelings, frustrations, aspirations, anger and desires."

A. Philip Randolph, vice president of the AFL-CIO Executive Council and a leading figure in the civil rights movement, said the Powell matter "could generate a racial reaction with overtones of violence and disorder and misguided revenge."

Randolph is a resident of Harlem's 18th Congressional District, which Powell represented.

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The Sun (Baltimore)
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The Wall Street Journal
The National Observer
People's World

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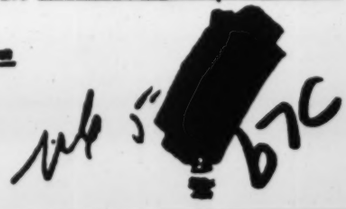

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Justice Dept. Pledges Prompt Attention

U. S. Probing Powell's Records

by DAN THOMASSON
Spartan-Howard Staff Writer

Justice Department attorneys today began poring thru records of two House investigations into Adam Clayton Powell's alleged misuse of public funds and other shenanigans.

Rep. Arch Moore Jr., (W. Va.), ranking Republican on a special committee which investigated Mr. Powell's fitness to serve in Congress, said he had verbal assurances from Attorney General Ramsey Clark that the Department would "pay prompt attention" to the Powell case.

The Special Committee, headed by Rep. Emanuel Celler (D., N.Y.), asked the Justice Department to look into the Powell record two weeks ago.

DEADLINE

Rep. Moore said the committee had considered setting a time limit on when the Justice Department would state what action — if any — it will take against Mr. Powell, but decided the record was too long to set such a limit.

The Federal attorneys will be searching for possible civil and criminal violations stemming from Mr. Powell's activities as chairman of the House Education and Labor Committee.

The Celler Committee and a House Administration sub-committee found Mr. Powell had mishandled payroll and travel funds.

The Celler Committee's report set the figure at about $40,000. The report also said Mr. Powell had improperly included his wife, Mrs. Y. Marjoir Flores Powell, on his office payroll from Aug. 1964, to Dec., 1966.

DID NO WORK

Mrs. Powell performed no duties whatever for her Harlem Democrat husband during that period, the Committee reported.

In its investigation of Mr. Powell, the Celler Committee often referred to the case of former Rep. Ernest K. Bramblett (R., Calif.) who was indicted by a Federal grand jury and convicted in 1964 for falsifying his office payroll records.

Some congressmen still are charging the Administration has no intention of moving on the Powell case.

A Justice Department spokesman said "some time" will be needed before any formal reply can be made to the Celler Committee's request because "there is a lot of material to go thru."

Meanwhile, Mr. Powell's lawyers plan to go to court early next week to ask that the House be ordered to seat him.

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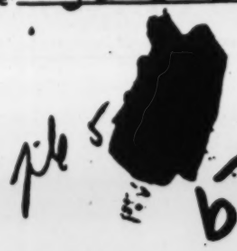

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Adam Clayton Powell looks up at a nightclub performer who was kibitzing as he played a game of dominoes at a bar in Bimini, the Bahamas. Mr. Powell plans to hold a press conference today on his cruise from the Bimini.

D-19 (Rev. 12-9-66)

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Justice Treads Lightly in Powell Probe

By LYLE DENNISTON
Star Staff Writer

The Justice Department is using special caution at this point in looking into the Adam Clayton Powell case.

The reason for the special care, department aides said today, is that the case involves possible delicate relations between Congress and the executive branch.

When Congress refused to seat Powell on Wednesday, it also sent its records and reports on him to the Justice Department "for prompt and appropriate action."

The special House committee that investigated the case raised questions about Powell's use of House funds for private purposes, his conduct in relation to House committees, and his handling of funds supported to be paid for services by House employes.

The Justice Department is limiting itself, at least for the present, to a study and evaluation of the materials sent to it by the House. Until that process is completed, it was reported, the department will not make any decisions about what to do next.

Indications are that, for the present, the department's analysis cannot be considered a normal invesigation into possible civil or criminal liability.

The reason that this matter is being treated specially is that the source of information about possible violations is Congress itself, and the possible violations involve a member-elect of Congress.

Concern about the separation of powers between Congress and the executive branch apparently has led the department to decide that the initial effort should be to look at what Congress itself considered to be the importnat and relevant materials on Powell's conduct.

Department spokesmen are careful not to speculate about what may happen after the initial analysis is finished. In fact, they refused to speculate even about the amount of time it would take for the initial evaluation.

Presumably, however, the department will have at least three options after it finishes its initial analysis:

It might do nothing further, it might file formal charges without further investigation, or it might broaden its inquiry into the case and then decide later whether to file formal charges or drop the matter.

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Date MAR 8 1967

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51 MAR 9 1967

—Associated Press

Adam Clayton Powell meets his domino-playing cronies on Bimini.

0-19 (Rev. 12-9-66)

G.O.P. to Fight 'Hard' for Vacated Harlem Seat

Vows Drive Against Powell if He Decides to Run Again

20

By JAMES F. CLARITY

The Manhattan Republican party plans an "intensive" campaign against Adam Clayton Powell if the Harlem Democrat runs for Congress in a special election.

Mr. Powell, who was excluded from the 90th Congress by the House on Wednesday, has not said whether he will run for his former seat as a Representative of the 18th District.

Formal notification that the seat is vacant was sent by the House Speaker, John W. McCormack, to Governor Rockefeller yesterday by registered mail. The Governor is expected to announce the date of a special election soon after he receives the notification.

Vincent F. Albano Jr., the Manhattan Republican chairman, said his party would wage "an intensive, hard campaign to prove there is still a two-party system" in Harlem. He said the county committee would meet soon to discuss possible candidates.

Hampton Mentioned

A source high in local Republican circles said the party leaders would try to persuade Lionel Hampton, the Negro musician, to run against Mr. Powell. Mr. Hampton was active in the Mayor Lindsay's 1965 election campaign and in the re-election campaign of Governor Rockefeller last year. He was said to be on a tour in Florida and was not available for comment yesterday.

Mr. Powell is considered a sure winner if he chooses to run again in the 18th District, which covers most of Central and East Harlem. The area is predominantly Negro and Puerto Rican.

The residents of the central part of the district are almost all Negroes, and they are the hard core of Mr. Powell's support. East Harlem has a substantial Puerto Rican population, and is also considered solid Powell territory.

Only in a narrow strip of the district, along York Avenue in the upper Eighties and lower Nineties, is there a sprinkling of white, middle-income population. It was principally in this area that the Conservative party candidate, Ryland E. D. Chase, won all his votes in his campaign last year against Mr. Powell.

Last No[illegible] was re-elec[illegible] of the district's total vote. He [illegible]

[illegible] the Republican candidate, 3,814 for the Liberal and 1,[illegible] for the Conservative.

Edward Morrison, the Manhattan Liberal party chairman, said yesterday that there was "a distinct feeling" among party leaders that the Liberals, who have perennially opposed Mr. Powell, would not run their own candidate. They feel, Mr. Morrison said, that the party should avoid what promises to be "a personal contest for and against Powell."

Harry Middendorf, Manhattan Conservative chairman, said his party's leaders discussed last month the possibility of running a candidate against Mr. Powell, but had not reached a decision. Mr. Middendorf said the Conservatives might consider endorsing the Republican candidate, "if we can get together with them."

Mr. Albano said the Republicans would seek a candidate with an active background in "civil rights and community action." But there was no unanimity among Harlem Republicans on a potential candidate or even on whether the party should run one.

G.O.P. Leader Pessimistic

"We haven't got a chance," William Cornelius, G.O.P. leader of the 71st Assembly District, said in an interview. "The feeling among a lot of the colored leaders is that we shouldn't put up a candidate against Powell. He'd have a sympathy vote. Our own folks would work for him."

He added: "But if the County Committee wants to run someone, we'll go along."

J. Raymond Jones, the Manhattan Democratic leader, said that Mr. Powell—with whom he has feuded—was a victim of "a political lynching party" in the House. Last summer Mr. Powell said that Negroes ought to "spit on" Mr. Jones because he had not nominated a Negro for Supreme Court justice in Manhattan and the Bronx.

"We've had differences of opinion," Mr. Jones said, "and some of them have been rather violent. However, in view of the action of the Congress, I don't think any self-respecting Negro can take another position."

Mr. Jones added: "I don't think any opposition candidate would be a very popular person in the community." He said that he hoped there would be

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Harlem protesting the anti-Powell action, but that they were a possibility because "there is such a feeling of outrage."

The Residency Issue

The question of Mr. Powell's residency qualification and his ability to campaign in the district were considered possible weapons for Mr. Powell's opponent in a special election.

Although the House committee that investigated Mr. Powell found him a qualified resident of his district, some Representatives, including Samuel S. Stratton, Democrat of Amsterdam, have suggested that the residency qualification could be successfully challenged in court on the grounds that Mr. Powell spends much of his time at his home in Bimini, in the Bahamas.

Mr. Powell's ability to campaign in the district would presumably be hampered because there is a standing court order for his arrest on charges of criminal contempt. Most observers, however, believe Mr. Powell would be re-elected regardless of the extent of his active campaigning. Last fall, for example, he hardly appeared in the district and still won by an overwhelming margin.

Elections Commissioner Maurice O'Rourke said it would cost $90,000 to $100,000 to hold a special election in the 18th District. The money would be needed, he said, to pay election inspectors and clerical workers and for the transportation of voting machines from warehouses to polling stations.

The American Jewish Congress called the exclusion of Mr. Powell an "unconstitutional arrogation of power and an infringement of the rights of every voter." Howard M. Squadron, chairman of the A. J. C. commission on law and social action, said Mr. Powell had met the qualifications of the Federal constitution regarding citizenship, age, and residency.

"If this precedent stands, there is nothing to stop the House from barring future duly elected representatives for entirely arbitrary reasons such as their political views, racial background or religious beliefs," Mr. Squadron said.

9-15 (Rev. 12-9-66)

POWELL PLANNING 2 SUITS IN EFFORT TO SAVE HIS POST

Legal Action Will Be Started In Washington and Here Challenging House Vote

AUTHORITY QUESTIONED

Some Expect Confrontation of Congress and the Court Will Involve President

By ROBERT E. THOMASON

Adam Clayton Powell will fight the House vote excluding him as Harlem representative to the 90th Congress in Federal Courts in Washington and in Manhattan.

Two suits — one against House Speaker John W. McCormack and the other against Governor Rockefeller — will probably be filed next week or the week after at the latest.

The crucial legal contention that will be advanced in the two suits is that the House exceeded its authority in excluding Mr. Powell as a member as it did last Wednesday by a vote of 307 to 116.

The last time a member was denied his seat was in 1921 when the House barred Victor Berger, a Milwaukee Socialist who had been convicted of sedition for his outspoken opposition to America's entry into World War I.

Twice before he had been excluded—in 1919 and 1920—but in 1923 the Supreme Court ordered that he be seated.

While Mr. Powell's lawyers have agreed among themselves not to make any statements as to their tactics on behalf of their client, three characteristics in the Powell camp appeared evident: activity, optimism and dissent.

Kunstler Preparing Suits

The activity stems from preparation of the two federal suits which are being drawn by William M. Kunstler, who was one of the many lawyers who had represented Jack Ruby and who had been a pallbearer at the funeral of Ruby, the killer of Lee Harvey Oswald, who was identified by the Warren Commission as the assassin of President Kennedy.

The optimism stems from Henry R. Williams, one of about 12 lawyers who have defended Mr. Powell in civil litigation stemming from his being found guilty of defaming Mrs. Esther James, a 70-year-old Harlem widow, whom he labeled a "bag woman," or go-between for gamblers and corrupt policemen.

And the dissent comes from other Powell lawyers who disagree with the tactics being followed and those who would like to represent him or appear in his behalf for whatever cause.

Suits to Be Filed Together

While Mr. Powell's lawyers declined to discuss the case, the following has been learned from sources closely connected with the case.

The two Federal cases will be filed simultaneously, with perhaps more significance being attached to the case here in New York by Mr. Powell's lawyers.

This suit will seek to enjoin Governor Rockefeller and probably the Board of Elections from declaring Mr. Powell's Harlem seat vacant. And the suit will also seek a ruling that the House exceeded its authority in denying him his seat.

This will also be the tenor of the suit filed in Washington.

Both cases will probably require at least a three-judge bench to hear the case.

But the purpose of both suits will be the same: to have the dispute quickly sent to the United States Supreme Court for a binding opinion.

The dispute is certain to pose a historic confrontation of two of the three branches of government—the Legislative and the Judiciary.

But, as if to round out the so-far insoluble complexities of the case, some constitutional lawyers were speculating yesterday that the case will also involve the Executive branch of government.

A defense of Mr. Powell's proposed claim of unconstitutional conduct against the House will be opposed by lawyers from either the United States Attorney General's office [illegible]

Will the government respond in a manner consistent to the House vote excluding Mr. Powell or will the lawyers from the Attorney General's office accept the view of both the Republican and Democratic leadership of the House that Mr. Powell be seated after being fined, censured and deprived of seniority?

Tolson
DeLoach
Mohr
Wilson
Casper
Callahan
Conrad
Felt
Gale
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Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

File 62C

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date MAR 4 1967

100-51230-A
NOT RECORDED
48 MAR 8 1967

6 MAR 14 1967

0-16 (Rev. 12-9-66)

Justice Dept. Opens Adam Quiz

By ANN WOOD

Washington, March 3 (News Bureau) — The Justice Department has begun an intensive but gingerly investigation of Adam Clayton Powell's wide-roving activities, looking for possible law violations.

The study, announced today by the department, began when Justice attorneys started sifting voluminous reports and sheaves of records on Powell's career both as an 11-term Congressman and as chairman of the House Education and Labor Committee. The documents were the product of two separate House probes of Powell.

They included evidence that education committee funds and air travel cards had been used for such alleged nonbusiness purposes as flights to the Caribbean pleasure islands by a committee staffer who did maid-servant's work; by Corrine Huff, Powell's $19,227-a-year beauty queen secretary, and others.

The mountain of documents was forwarded to the new Attorney General, Ramsey Clark, after the house refused Wednesday to seat Powell. With them came Congress' request for prompt and appropriate action.

One committee contributing papers was headed by Rep. Wayne Hays (D-Ohio), which investigated late last year whether charges of misconduct by Powell merited action.

The second inquiry was by Chairman Emanuel Celler's nine-member special panel, which recommended last week that Powell should be seated, censured and fined to repay $40,000 of government funds which it said he had misused.

The Celler group's report left it up to the Justice Department to decide whether Powell owed more and whether charges of law violation were to be brought.

Department's Decision

The department will decide either to prosecute forthwith, to expand the probe or drop the case after all the committee's evidence has been weighed.

The investigation, though extensive, is being conducted with extreme delicacy. This is because it involves the extremely touchy question of the relationship between two independent branches of the government—the legislative and the executive.

If Powell's attorneys are successful in their forthcoming federal court bid to win him his seat, Justice Department attorneys could find that they had the unenviable task of prosecuting a Congressman.

Meanwhile, A. E. Ridgell, superintendent of House office buildings, announced that Congressmen could enter bids beginning next Tuesday for Powell's plush office suite in the new Rayburn Building.

At noon on March 17, the Representative with the most seniority, regardless of party, will be awarded the 'lease' on the offices, whose windows command a sweeping panorama of southwest Washington. Also handy to them is an elevator to the basement garage, a dandy way to duck in and out unobserved, which Powell often used.

Nelson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

[redacted]

File 62

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York) 3
Sunday News (New York)
New York Post
The New York Times
World Journal Tribune
(New York)
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date MAR 4 1967

100-51230-A

NOT RECORDED

46 MAR 8 1967

51 MAR 9 1967

(Associated Press Wirephoto)

Adam Clayton Powell, Bimini' good humor man, meets the press on the island resort.

0-20 (Rev. 1-26-66)

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UPI-81
(POWELL)

WASHINGTON--THE JUSTICE DEPARTMENT HAS TOLD SOME 150 HOUSE MEMBERS THAT IT WILL GIVE "THOROUGH AND EXPEDITIOUS ATTENTION" TO CHARGES OF WRONGDOING LODGED AGAINST ADAM CLAYTON POWELL.

ASSISTANT ATTY. GEN. FRED M. VINSON JR., SAID THE DEPARTMENT WAS STUDYING POSSIBLE CRIMINAL IMPLICATIONS OF POWELL'S AFFAIRS AND THAT IT WOULD TAKE "WHATEVER ACTION IS DEEMED APPROPRIATE."

VINSON, IN CHARGE OF THE DEPARTMENT'S CRIMINAL DIVISION, WROTE A LETTER TO REP. SAMUEL DEVINE, R-OHIO IN BEHALF OF ATTY. GEN. CLARK.

DEVINE AND OTHER CONGRESSMEN LAST WEEK WROTE CLARK URGING HIM TO INQUIRE "WITH DUE DILIGENCE AND DISPATCH" FINDINGS OF A SELECT HOUSE COMMITTEE THAT INVESTIGATED POWELL.

VINSON ASKED DEVINE TO CONVEY THE DEPARTMENT'S RESPONSE TO THE OTHER MEMBERS WHO WROTE CLARK. DEVINE TODAY INSERTED THE LETTER, WHICH WAS WRITTEN MONDAY, INTO THE CONGRESSIONAL RECORD.

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191 MAR 23 1967

~~61 MAR 2 1967~~

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WASHINGTON CAPITAL NEWS SERVICE